

State of Idaho
License and Certificate of Water Right

Water License No. 21671

Amount 15,420 second feet

Water District No.

Priority June 21, 1950

THIS IS TO CERTIFY that

IDAHO POWER COMPANY

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 21, 1950; that Permit No. 21671 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 15,420 second feet, was issued thereunder on April 9, 1953, showing that said works were completed on the 9th day of December, 1952; and that on the 9th day of December, 1952,

IDAHO POWER COMPANY

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 Snake River, a tributary of Columbia River, for the purpose of development of electric power & energy, under Use Permit No. 21671 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 5060, on the 9th day of April, 1953;

The right hereby confirmed dates from June 21, 1950;

The Point of Diversion is located in Lots 4 and 10

in the Sec. 34, Tp. 5 S., R. 4 E., B.M. Owyhee & Elmore 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 15,420 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Lots 4 and 10, Section 34, Township 5 South, Range 4 East, B.M.		
The rights herein granted are subject to the condition that the project shall be operated in such manner as will not conflict with future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such waters, for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed.					

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

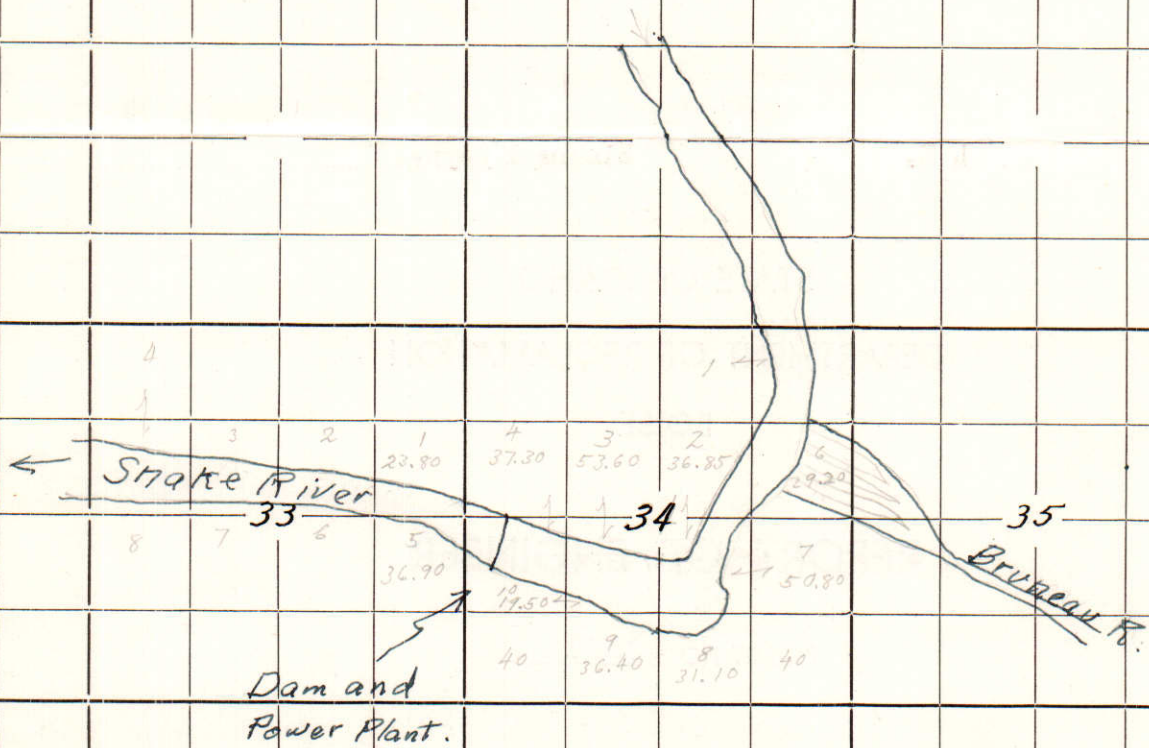
9th day of April, 1953.

MARK R. KULP
State Reclamation Engineer

(SEAL)

2 2980

T. 5 S., R. 4 E.



allow 15420 cfs = amt claimed
in Beneficial Use Proof

ATTACH CLIPPING
HERE

NOTICE OF PROOF
OF COMPLETION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on Tuesday, December 9, 1952, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before Erma L. Dvorak, Notary Public, proof will be submitted of the completion of works for the diversion of 16,000 cubic feet per second of the waters of the Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21671 heretofore issued by the Department of Reclamation of the State of Idaho.

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

2. 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is in excess of 16,000 cubic feet per second.

3. The use to which said water has been applied is for generation of electric power, and the amount applied to beneficial use is in excess of 16,000 cubic feet per second.

4. The place where said water is used is on Lots 4 and 10 of Section 34, Township 5 South, Range 4 East, Boise Meridian, approximately 2572 feet northeasterly from the southwest corner of Section 34, said Township and Range, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 21, 1950, under Permit No. 21671.

MARK R. KULP,
State Reclamation Engineer
Pub. Nov. 6—Nov. 27, 1952

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Carol E. Gough, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the editor and co-publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice Notice of Proof of Completion of Works etc.

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in _____ (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

November 6, 1952

November 13, 1952

November 20, 1952

November 27, 1952

Signed

Carol E. Gough

Subscribed and sworn to before me this 3rd day of Dec.
A. D., 1952.

Erma L. Dvorak
Notary Public in and for the State of Idaho.

Residing at Homedale, Idaho

My commission expires June 20, 1954.

21671

Affidavit of Publication

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on Tuesday, December 9, 1952, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before Erma L. Dvorak, Notary Public, proof will be submitted of the completion of works for the diversion of 16,000 cubic feet per second of the waters of the Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21671 heretofore issued by the Department of Reclamation of the State of Idaho.

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

2. 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is in excess of 16,000 cubic feet per second.

3. The use to which said water has been applied is for generation of electric power, and the amount to beneficial use is in excess of 16,000 cubic feet per second.

4. The place where said water is used is on Lots 4 and 10 of Section 34, Township 5 South, Range 4 East, Boise Meridian, approximately 2572 feet northeasterly from the southwest corner of Section 34, said Township

and Range, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 21, 1950 under Permit No. 21671.

MARK R. KULP

State Reclamation Engineer

First publication Nov. 13, 1952.
Last publication Dec. 4, 1952.

County of Elmore

STATE OF IDAHO

SS.

I, Eleanor D. Cook do solemnly swear that I am the foreman, the publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in

said newspaper for 4 consecutive weeks, the

first publication having been made on the 13

day of November, 1952, and the

last publication having been made on the 4 day

of December, 1952; every number of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Eleanor D. Cook

Subscribed and sworn to me this 5 day

of December, 1952

Frank Hall
Notary Public

21671

476

STATE OF IDAHO,)
COUNTY OF ADA,) ss.

On this 1st day of May, in the year 1932, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles E. Lee and Eli B. Holtzman, bachelors, known to me to be the persons whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

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

G. C. Kuer
Notary Public for Idaho,
residing at Boise, Idaho.

STATE OF IDAHO,)
COUNTY OF ADA,) ss.

On this 1st day of May, in the year 1952, before me, the undersigned, a Notary Public in and for said state, personally appeared Leandro Totoricaguena and Stanton Park, known to me to be the President and Secretary, respectively, of Totorica Co., the corporation that executed the foregoing instrument, and acknowledged to me that such corporation executed the same.

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

J. C. Riser
Notary Public for Idaho,
Residing at Boise, Idaho.

STATE OF IDAHO,)
COUNTY OF ADA,) ss.

On this 1st day of May, in the year 1952, before me, the undersigned, a Notary Public in and for said State, personally appeared Urbano Totoricaguena and Juana Totoricaguena, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

J. C. Riser
Notary Public for Idaho,
Residing at Boise, Idaho.

STATE OF IDAHO, }
COUNTY OF ADA, } ss.

On this 10th day of June, 1952, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles E. Lee, known to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Eli E. Holtzman, and acknowledged to me that he subscribed the name of Eli E. Holtzman thereto as principal, and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 10th day of June, 1952.

P. C. Kiser
Notary Public for Idaho,
Residing at Boise, Idaho.

21671

85117
AGREEMENT
Idaho Power Company
to
Grandview Mutual Canal Co., et al
STATE OF IDAHO, }
Owyhee County, } ss.
Filed for record this 17th day
of June, 1952
at 1:30 o'clock P. M. at
request of Anderson & Kaufman
and recorded in Book 8
Bonds & Agreements
453, of the records of said county.
KENNETH C. DOWNING
Ex-Officio Recorder
/s/ Virginia Kershner
Deputy,
\$ 21.00

STATE OF IDAHO, }
County of Owyhee, } ss.

CERTIFICATE

I, NICK IHLE, Ex-Officio Recorder in and for Owyhee County, State of Idaho, do hereby certify that the foregoing is a full, true and correct copy of certain Agreement

from Idaho Power Company to Grandview Mutual Canal Co., et al

as the same appears on record in Book No. 8 of Bonds & Agreements at Page 453 Records of Owyhee County, State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal this 22nd day of September, 1960.

By *Nick Ihle* N. K. IHLE
Ex-Officio Recorder.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATER OF THE STATE
OF IDAHO IN ACCORDANCE WITH
THE PROVISIONS OF SECTION 42-
203, IDAHO CODE.

NOTICE IS HEREBY GIVEN, That
the Idaho Power Company, of Boise,
Idaho, has made application on the
21st day of June, 1950, to appropriate
16,000 cubic feet per second of the
waters of Snake River for the de-
velopment of electric power and en-
ergy.

That the point of diversion of
said water is described as being
N. 6°23' E. 2572 feet distant from
the Southwest corner of Section 34,
Township 5 South, Range 4 East,
B.M., and in Lots 4 and 10 of said
Section 34, Township 5 South, Range
4 East, B.M.

That the point of use of said
water is the same as the point of
diversion.

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

Dated this 15th day of July, 1950.

MARK R. KULP

State Reclamation Engineer

Date of first publication: July 20, 1950.
Date of last publication: August 3,
1950.

Last date for protest: August 24, 1950.

SERVICE OF THE FOREGOING,
by copy, is hereby admitted, this
15th day of July, 1950.

IDAHO POWER COMPANY
Applicant.

By A. C. INMAN, its Secretary

By A. C. INMAN, Secretary

Affidavit of Publication

County of Elmore

STATE OF IDAHO

ss.

I, Robert M. Cooley do
solemnly swear that I am the foreman, the
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

3 consecutive weeks, the first pub-
lication having been made on the 20th day

of July, 1950, and the

last publication having been made on the 3rd

day of August, 1950;
every number of the paper during the period
and time of publication and that the notice
was published in the newspaper proper and
not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS (formerly Mountain Home
Republican) has been continuously and unin-
terruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Subscribed and sworn to me this 11th

day of August, 1950.

Mary Bermeas
Notary Public

RECEIVED
AUG 15 1950

Department of Reclamation

21671

**NOTICE OF APPLICATION
FOR PERMIT TO APPROPRI-
ATE THE PUBLIC WATER
OF THE STATE OF IDAHO,
IN ACCORDANCE WITH
THE PROVISIONS OF SEC-
TION 42-203, IDAHO CODE.**

STATE OF IDAHO, DEPART-
MENT OF RECLAMATION.

NOTICE IS HEREBY GIVEN,
That the Idaho Power Company
of Boise, Idaho, has made appli-
cation on the 21st day of June,
1950, to appropriate 16,000 cubic
feet per second of the waters of
Snake River for the develop-
ment of electric power and
energy.

That the point of diversion of
said water is described as being
N. 6°23' E. 2,572 feet distant
from the Southwest corner of
Section 34, Township 5 South,
Range 4 East, B. M., and in Lots
4 and 10 of said Section 34,
Township 5 South, Range 4 East,
B. M.

That the point of use of said
water is the same as the point
of diversion.

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 pro-
test shall state the name and ad-
dress of the protestant, and shall
clearly set forth his objections
to the approval of said applica-
tion.

Dated this 15th day of July,
1950.

MARK R. KULP,
State Reclamation Engineer.
Date of first publication: July
20.

Date of last publication Au-
gust 3.

Last date for protest: August
24, 1950.

SERVICE OF THE FORE-
GOING, by copy, is hereby ad-
mitted, this 15th day of July,
1950.

IDAHO POWER COMPANY,
Applicant.

By A. C. INMAN, Secretary
7-20-3.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose
and say:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was and now am over the age of twenty-
one years, not a party to nor interested in the proceedings hereinafter
mentioned.

2. That during the time of the publication of the notice hereinafter
mentioned, I was and now am the printer and co-publisher of THE
OWYHEE CHRONICLE, a newspaper of general circulation printed
and published weekly, on Thursday of each and every week, in the
City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and
published continuously and uninterruptedly in said County during a
period of seventy-eight weeks prior to the first publication of the at-
tached notice.

4. That said notice NOTICE OF APPLICATION FOR PERMIT TO
APPROPRIATE THE PUBLIC WATER OF THE STATE OF IDAHO
IN ACCORDANCE WITH THE PROVISIONS OF SECTION
42-203, IDAHO CODE

of which a printed copy, taken from said newspaper, is hereto annexed,
was published in the regular issue thereof, and not in a supplement
thereto, in said newspaper, in three (3) (consecutive) calendar
weekly issue(s) of said newspaper, on the following date(s):

July 20, 1950

July 27, 1950

Aug. 3, 1950

Signed

Everett A. Colley

Subscribed and sworn to before me this 4th day of Aug.

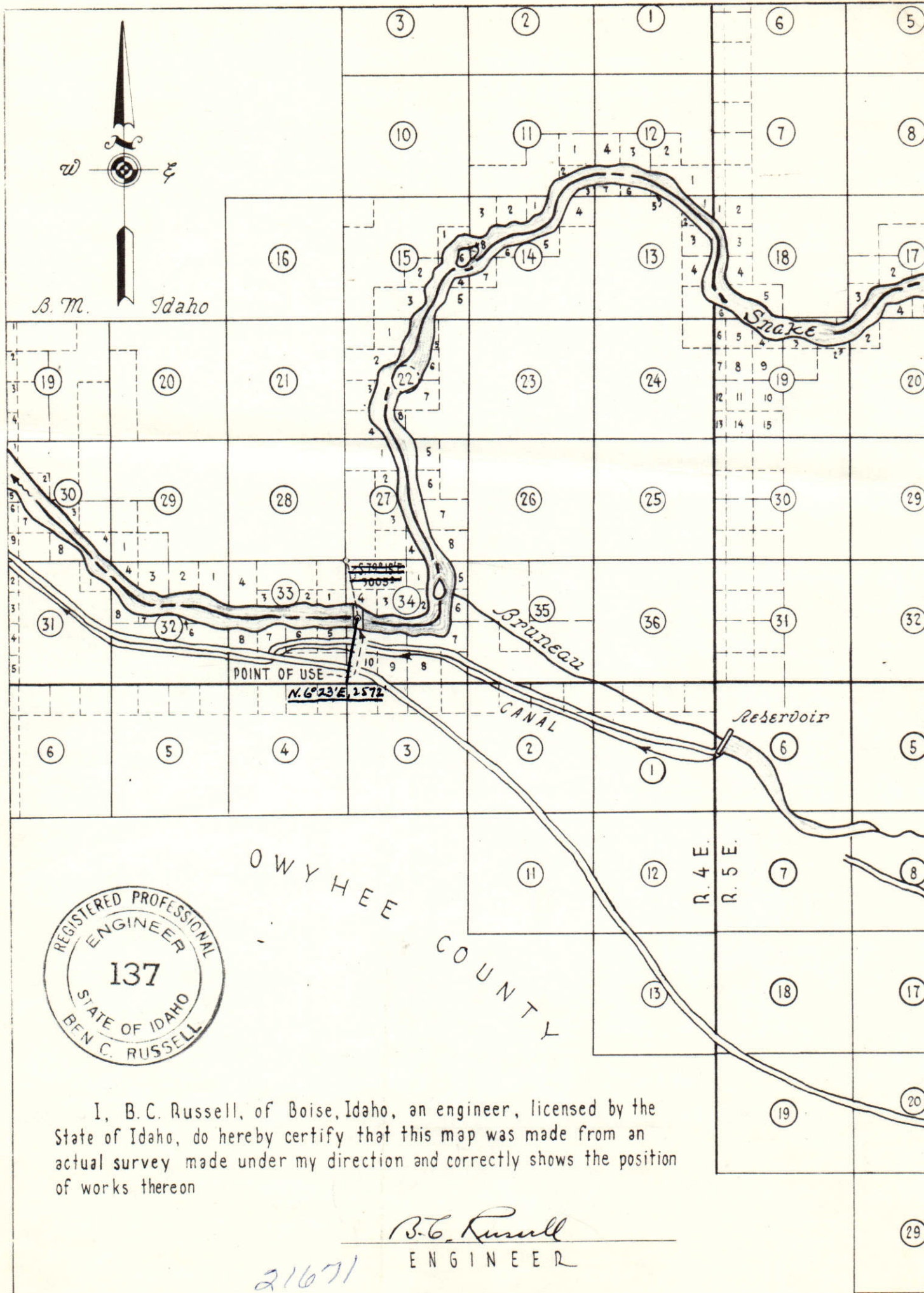
A. D., 1950.

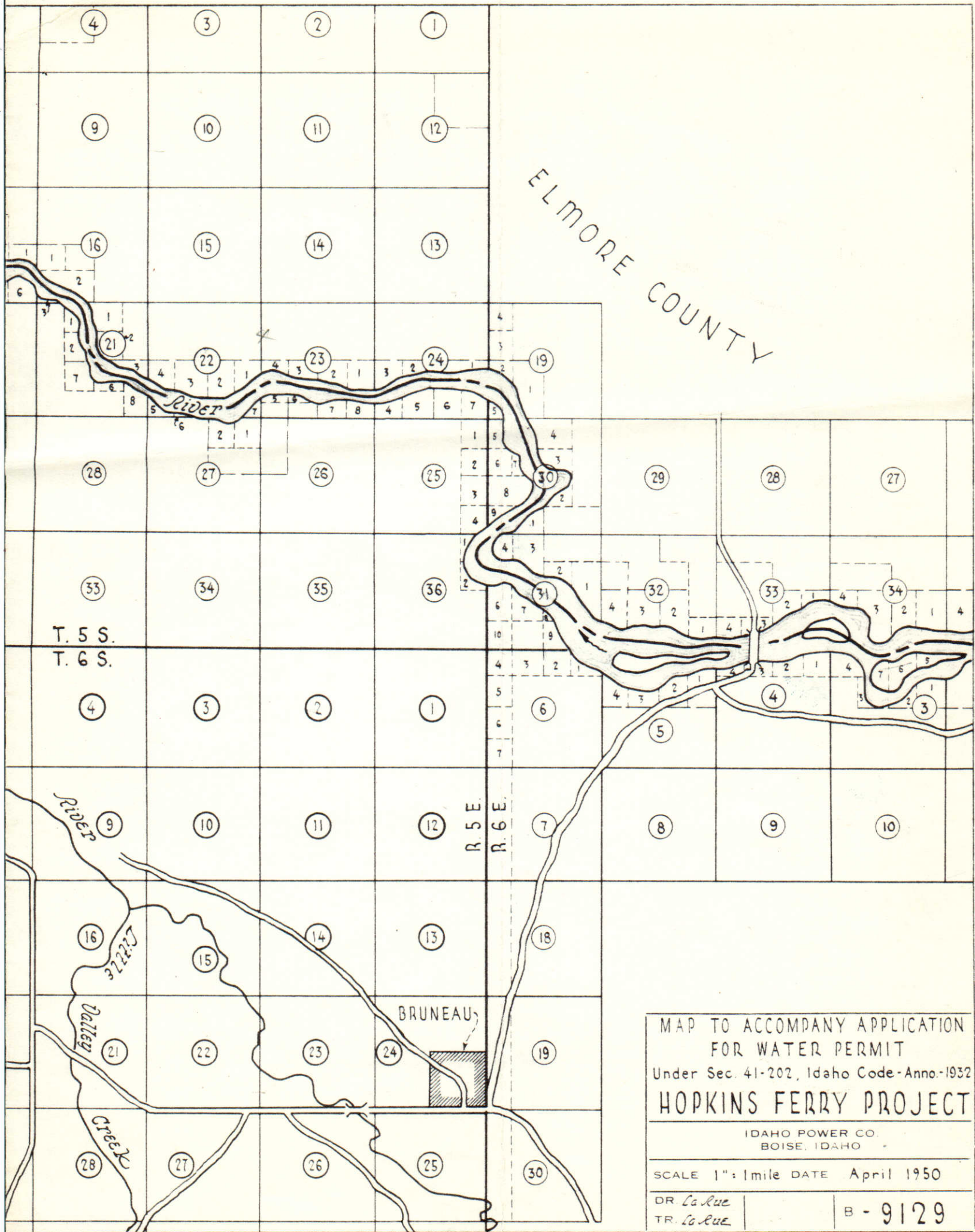
M. H. Robinson
Notary Public in and for the State of Idaho.

Residing at Caldwell, Idaho.

My commission expires Feb. 5, 1951.

21671





APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

02-2080

NOTICE OF WATER RIGHTS ON
6400 IDAHO CODE ANNOTATED

Notice of Hearing 7-15-50
Date of Publication 7-20-50 to 8-3-50
Date for Protest 8-24-50

IF PROTESTED

APPLICATION No. 29257
PERMIT No. 21671
DISTRICT No.

1. Name of Applicant: IDAHO POWER COMPANY

Postoffice address: 1220 Idaho St., Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: Maine- May 6, 1915

(b) Amount of capital stock: \$56,000,000

(c) Amount paid in \$34,000,000

(d) Names and addresses of directors: C.C. Anderson, Boise, Idaho; J.G. Conley, Caldwell, Idaho; R.E. Gale, Boise, Idaho; B. Glavin, Twin Falls, Idaho; A.C. Inman, Boise, Idaho; W.J. Lloyd, Nampa, Idaho; A.L. Merrill, Pocatello, Idaho; C.E. Palmer, Ontario, Oregon; T.E. Roach, Boise, Idaho; J.H. Rogers, Boise, Idaho; B.C. Russell, Boise, Idaho;

2. Simplot, Boise, Idaho;
than Sommer, Boise, Idaho;
i E. T. Waters, Weiser, Idaho

II. The financial resources of the applicant are: See balance

(b) Treasury stock: sheet attached.

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 16,000

cubic feet per second.

3. Source of water supply: Snake River

which is a tributary of Columbia River

4. Location of point of diversion: N. 6° 23' E. 2572

feet distant from the Southwest

corner of Section 34, T. 5 S., R. 4 E., B.M., and is in the Lots 4 and 10

of Section 34, T. 5 S., R. 4 E., B.M., County of Elmore and Owyhee, Idaho

5. Water is to be used for Development of electric power and energy

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

(a) Point of use of water: 2572 feet distant from S W corner of Section 34

T 5 S., R. 4 E., B.M., in the Lots 4 & 10 of Section 34, T. 5 S., R. 4 E., B.M.

(b) Amount of power generated: 135,000 H.P., under 85 feet head.

(c) Water is to be returned to immediately below dam at a point 2572 feet

distant from the S W corner of Section 34, T. 5 S., R. 4 E., B.M., in the Lots 4 & 10

of Section 34, T. 5 S., R. 4 E., B.M.

7. Estimated cost of works: \$ 17,000,000

8. Kind of works: Reinforced concrete spillway and power plant. Earth fill dam.

9. Height of dam 115 feet; length of dam at top 2,700 feet; length of dam at bottom 550

feet; material used in dam: Earth fill with clay core

10. Size of headgate: Width Design not completed feet; height feet.

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

dimensions of flume:

Diameter of pipe inches; length of conduit No ditch miles.

Average grade per mile feet.

12. The time required for the completion of such work is (Maximum) 5 years.

13. The time required for the complete application of the water to the proposed use is (Maximum) 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Not applicable

16. (a) Is reservoir to be used? See Remarks below 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 water of the State of Idaho as herein set forth.

IDAHO POWER COMPANY

Applicant.

By

A. C. Inman

Agent.

Vice-President and Secretary

Date of first receipt at Department of Reclamation: 1:30 P. M. June 21, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21671

Recorded in Book 77 Page 21671 Approved August 31, 1950

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 October 31, 1950

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 **February 28, 1953**

The whole of said work to be completed on or before August 31, 1955

Beneficial use of water appropriated in accordance herewith, to be made on or before August 31, 1961

WITNESS My hand this 31st day of August, 1950

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS, Governor of the State of Idaho,

and J. D. "CY" PRICE, 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 31st.....

day of August, 1950.

STATE OF IDAHO

Countersigned:

(SEAL)

By C. A. ROBINS

By J. D. "CY" PRICE
Secretary of State.

REMARKS: Pondage formed by dam will be used only for daily and weekly fluctuations of load. Top area of pond will be approximately 7,000 acres. Dam will elevate river level at the dam site 88 feet and will affect the river upstream for a distance of approximately 28 miles. Maximum draw down of pond, 2 feet.

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
			AMENDMENT TO PERMIT NO. 21671 The rights herein granted for the use of the waters, stream bed and other lands of the State of Idaho, necessary for the construction and operation of the dam and reservoir, are subject to the condition that the project shall be operated in such manner as will not conflict with future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such waters, for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed." (Amendment authorized by letter from the Idaho Power Company, dated March 14, 1952, and approved by the State Reclamation Engineer and Governor of the State of Idaho)				

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. 21671, issued upon Application No. 29257 bearing date of priority of June 21, 1950, authorizing the diversion of 16,000 second feet of the waters of Snake River, County of Elmore and Owyhee, State of Idaho, for development of electric power & energy 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 15,420 second feet of the waters of Snake River; that the point of diversion of said waters is in Lots 4 and 10, Section 34, Township 5 South, Range 4 East, B.M., and that the place of use of said water is also in Lots 4 and 10, Section 34, Township 5 South, Range 4 East, B.M.

Witness my hand this 9th day of April, A.D. 1953.

MARK R. KULP
State Reclamation Engineer

Proof of completion of works made December 9, 1952.
Certificate of completion of works issued April 9, 1953.

15,420
LICENSE ISSUED FOR.....SEC. FT.
pgl. 5060

State of Idaho

License and Certificate of Water Right

Water License No. 21671

Amount 15,420 second feet

Water District No.

Priority June 21, 1950

THIS IS TO CERTIFY that IDAHO POWER COMPANY of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 21, 1950; that Permit No. 21671 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 15,420 second feet, was issued thereunder on April 9, 1953, showing that said works were completed on the 9th day of December, 1952; and that on the 9th day of December, 1952,

IDAHO POWER COMPANY 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 Snake River, a tributary of Columbia River, for the purpose of development of electric power & energy, under Use Permit No. 21671 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 5060, on the 9th day of April, 1953;

The right hereby confirmed dates from June 21, 1950.

The Point of Diversion is located in Lots 4 and 10

~~in~~ Sec. 34, Tp. 5 S., R. 4 E., B.M. Coyote & Elmore 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 15,420 cubic feet per second.

Description and location of use.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Lots 4 and 10, Section 34, Township 5 South, Range 4 East, B.M.		
The rights herein granted are subject to the condition that the project shall be operated in such manner as will not conflict with future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such waters, for the irrigation of lands and other beneficial uses to be made in the Snake River and its tributaries.					

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

WITNES: the seal and signature of the State Reclamation Engineer, attested at Boise, Idaho, this 10th day of April, 1953.

MARK R. KULP
State Reclamation Engineer

(SEAL)

2 2680

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

RECEIVED

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

JAN 22 1996

NOTICE OF INTENT TO FILE APPLICATION FOR NEW LICENSE ~~Department of Water Resources~~

(January 11, 1996)

02-2080

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. Type of filing: Notice of Intent to File Application for New License
- b. Project No.: 2055
- c. Date filed: November 28, 1995
- d. Submitted By: Idaho Power Company, current licensee
- e. Name of Project: C.J. Strike
- f. Location: On the Snake River, in Owyhee and Elmore Counties, Idaho
- g. Filed Pursuant to: Section 15 of the Federal Power Act, 18 CFR 16.6 of the Commission's regulations
- h. Effective date of original license: December 1, 1950
- i. Expiration date of original license: November 30, 2000
- j. The project consists of: (1) a 115-foot-high earthfill dam impounding a reservoir with surface area of 7,500 acres at surface elevation of 2,455 feet mean sea level; (2) a reinforced concrete intake structure; (3) three 25-foot-diameter, 300-foot-long steel penstocks; (4) a reinforced concrete powerhouse with a total installed capacity of 82,800 kilowatts; and (5) other appurtenances.
- k. Pursuant to 18 CFR 16.7, information on the project is available at: Rober W. Stahman
Idaho Power Company
1221 West Idaho street
P.O. Box 70
Boise, ID 83707
(208) 388-2676
- l. FERC contact: Hector M. Perez (202) 219-2843

Project No. 2055-000

- 2 -

- m. Pursuant to 18 CFR 16.9(b)(1) each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by November 30, 1998.

Lois D. Cashell
Secretary

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 2055-009
IdahoORDER APPROVING PROJECT FEATURES
(Issued June 21, 1995)

02-2080

On March 30, 1995, Idaho Power Company (IPC), licensee for the C.J. Strike Project, FERC No. 2055, filed an application to amend its license to construct a shop/office building, a 36-inch wide steel stairway, and relocation of an existing roadbed.

Background

The C.J. Strike Project¹ is located on the Snake River in Elmore, Owyhee, Ada, and Canyon counties, Idaho. The existing project office is located in the power plant, and the shop building adjacent to the power plant. Both facilities are inadequate to meet project requirements. In addition, a stairway is needed to enhance both public and plant personnel access from the crest of the dam to the power plant, and relocation of an existing roadbed is necessary to route the traffic around the new facilities.

IPC's proposed construction consists of: (1) a 2,520-square foot shop/office building to be located adjacent to the C.J. Strike Power Plant; (2) a 36-inch wide steel stairway from the crest of the dam to the power plant; and (3) relocation of approximately 400 feet of existing roadbed.

Agency Comments

The U.S. Fish and Wildlife Service, Idaho Department of Fish and Game, Idaho Department of Parks & Recreation, Idaho State Historical Society, and Elmore County Commission were consulted by IPC. There were no objections to or comments on the proposed construction.

Review

Based on our review of the licensee's filing, we conclude that the construction of a shop/office building, a 36-inch wide steel stairway, and relocation of approximately 400 feet of existing roadbed should be approved. The shop/office building would provide a safer and better working environment for personnel. The stairway would provide better access to the dam

-2-

and power plant for the public and for plant personnel. The relocation of existing roadbed for routing traffic around the new facilities is necessary. The proposed construction does not materially affect the Commission's determination that the C. J. Strike Project is best adapted to a comprehensive plan for the waterway. The proposed facilities are not major project features and would constitute as "appurtenant facilities" as referenced in license ordering paragraph (b). This order will approve construction of the proposed facilities but not revise the project description.

The Director orders:

(A) The application for amendment to the license for the C.J. Strike Project, filed by letter dated March 30, 1995, for the construction of the proposed facilities, is approved.

(B) Within 90 days of completion of construction of the proposed facilities, the licensee must file revised exhibits to describe and show the proposed facilities as built.

(C) 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.

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

RECEIVED
JUN 26 1995
Department of Water Resources

¹ FPC Report Volume 10, 1951

RECEIVED
AUG 30 1990

52 FERC 102,188

02-2080

Department of Water Resources

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 2055-005
Idaho

ORDER AMENDING LICENSE

(Issued August 27, 1990)

The C. J. Strike Project has a total installed capacity of 82,800 kW, which is higher than the authorized capacity of 82,500 kW in the license. ^{1/} The increase in the generating capacity has minimal effects on the project's hydraulic capacity causing no additional environmental impacts. Therefore, the license will be amended to show the project's total authorized installed capacity to be 82,800 kW.

Because there has been no change in the project's authorized horsepower, no revision to the annual charge article is necessary.

The Director orders:

(A) The total authorized installed capacity of the C. J. Strike Project, FERC No. 2055, is 82,800 kW.

(C) This order is issued under authority delegated to the Director pursuant to section 375.314 of the Commission's regulations. Section 385.1902 of the Commission's regulations provides 30 days from the date of this order for an appeal to the Commission of this action. Filing an appeal does not stay the effective date of this order or any date specified herein.


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

^{1/} The license was issued on February 6, 1951, 10 FPC 722.

Homedale, Idaho
December 12, 1952

RECEIVED
DEC 15 1952
Department of Reclamation

State of Idaho
Department of Reclamation
Mark R. Kulp, State Reclamation Engineer

Re: Application No. R-30929 and
Permit No. 21671

Dear Sir:

We received **Notice** for publication of Permit No. 21671,
for the Idaho Power Company.

Also, we received notice to publish for applicant, Henry
Crown, Application No. R-30929

Thanking you, we are,

Yours very truly,

THE Owyhee Chronicle

C. E. Gough

C. E. Gough
Publisher

CEG/hr

21671

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21671

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

1. Name of applicant.....Idaho Power Company, Boise, Idaho.....
2. Source of water supply:.....Snake River.....
3. Location of point of diversion: Is in the Lots 4 & 10 of Section 34
T. 5 S. R. 4 E. County of Elmore & Owyhee
4. Describe works as they exist, giving dimensions and capacities of same:.....

5. Water is used for: Generation of electric power
6. State whether or not water has been turned into works of diversion: _____

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):

Place of use: Lots 4 and 10, Section 34, Township 5 South, Range 4 East, B.M.

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

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

Remarks: _____

This examination was made on the 18th day of March, 1953

(Signed) E. N. Humphrey Examiner.

21671

Max. wattage
30700 for one machine

89200 Kw. = max for
one hr.

46 cylinders of CO₂ for
fire fighting (size of 0. cpl.)

125 hp. U.S. motor with
Worthington pump to master
when starting
Worthington Pump (vert. turb.)
type 18-068-1.
16" dia.

1-20 hp. U.S. motor
8" Worthington vert. turb. Pump.

✓ 25 hp. U.S. 10" water Pump

3-50 hp. motors to maintain
hydraulic pressure for Governors.
hydraulic oil storage tank 7500 gpm
in 3 tanks - approx. $\frac{1}{3}$ full
up to 500 gpm of water to cool
generators in summer

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.

1-40 hp. motor
1-3" Am. Marsh. 500 gpm
Pump.
for fire control

Idaho Power Company

Boise, Idaho

Permit No. 21671

Examination for Completion of Works
and Beneficial Use

County Elmore & Owyhee

Lots 4+10-534-55-4E.

Or = 16000 cfs.

S = Snake R.

P.D. = N 6° 23' E. 2572' ft. SW cor.

534-55-4E.
is in Lots 4+10 of S. 34.
Power

Priority = Jan 21 - 1958

Here Aug 31 - 53'

Drawdown = 2'

Max. pondage = 7000 acres

RECEIVED
MAR 21 1953

Department of Reclamation

G.E. A.C. Gen. #689445
KVA 30000 RPM 138 1/2
Volts 13800 KW 27600
amp arm. 1255; amp field 600
Exciter V = 250

Newport News Shipbuilding
and Dry Dock Co. Turbine
38000 hp. 88 ft dia 138.5 RPM
Serial #151 built in 1951

G.E. AC, Gen. #6894455
same as above

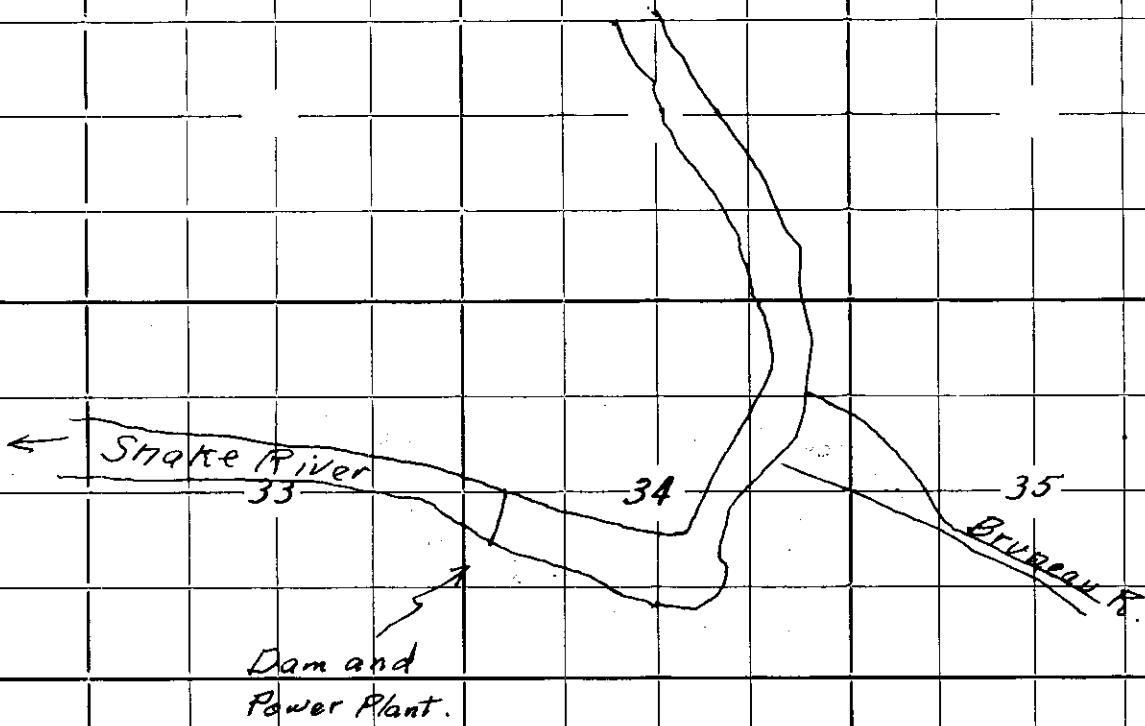
Hydraulic Turbine
Unit #2 Serial #152
Same as above spec

#3 Serial 6894456 Gen.

Hydraulic Turb. #153
Unit #3 same as above

Readings in Mega Watts
#1 = 30. - 29 1/2 - Kilowatts = 14
#2 = 29 " " 14
#3 = 29 " " 14
#1 = 1250 amps #2 = 1250 #1250

T. 5 S., R. 4 E.



allow 15420 cfs = amt claimed
in Beneficial Use Proof

1. Check app. 10' 4x10' compound
 2. Check app. 10' 4x10' compound
 3. Check app. 10' 4x10' compound
 4. Check app. 10' 4x10' compound
 5. Check app. 10' 4x10' compound
 6. Check app. 10' 4x10' compound
 7. Check app. 10' 4x10' compound
 8. Check app. 10' 4x10' compound
 9. Check app. 10' 4x10' compound
 10. Check app. 10' 4x10' compound

STATE OF IDAHO
 DEPARTMENT OF RECLAMATION
 BOISE

REPORT OF ENGINEER

PERMIT NO. 21671

REPORT ON PROOF OF Completion of Works and Beneficial Use

IDAHO POWER COMPANY, Boise, Idaho

11.5 ft. head
 11.5 ft. head

15420 cfs.
 with restriction
 as to minimum flow
 and upstream regulation
 development

app. 16.000 cfs.

15420
 10
 15410
 30
 4623.00
 5.00
 4628.00 - C/V
 5.00 - 1000
 4631.00

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 21671

Proof of Application of Water to Beneficial Use

Deposition of Holder

and Completion of Works

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

Ans. B C Russell, General Superintendent, Idaho Power 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.

Ans. Idaho Power Company, 1220 Idaho Street, Boise, Idaho. Affiant is General Superintendent, Vice President and a Director of said Company.

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

Ans. Permit No 21671, dated August 31, 1950; priority June 21, 1950.

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

Ans. Snake River - in Lots 4 and 10, Sec 34, T 5 S, R 4 E, B M, approximately N 6° 23' E 2,572 feet from the Southwest corner of Sec 34, T 5 S, R 4 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. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined.

Ans. Earth fill dam across Snake River, concrete spillway with eight taintor gates capable of discharging 140,000 cfs, concrete powerhouse, with three vertical turbo-generator units of 27,600 kw rated capacity each, capable of utilizing 15,420 cfs and producing 89,200 kw. Reservoir to be fluctuated up to approximately 5 feet in top elevation daily, for regulation of power production in accordance with load requirements.

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 electrical energy for distribution throughout southern Idaho, eastern Oregon and northern Nevada. Place of use is in Lots 4 and 10, Section 34, Township 5 South, Range 4 East, B M.

21671

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

Ans. Hydroelectric power generation; have generated 123,000 electrical horsepower, 89,200 kilowatts at C J Strike power plant.

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

Ans. 15,420 cfs.

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. Not applicable.

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

Ans. On April 1, 1952, all three generating units went into production for the first time, and since that date water has been used up to 15,420 cfs, with an electric power production of 89,200 kw, with the amount of water passing through the power plant varying throughout the day in accordance with the load requirements of Idaho Power Company's system.

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. No other water right for the C J Strike power plant except the 15,420 cfs right provided by Permit No 21671.

(Sign)

B. B. Russell

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 9th day of December, A. D. 1952,

Norma L. Dvorak

Notary Public,
Residing at Boise, Idaho

My commission expires May 9, 1956.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21671

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Work

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, 74, Civil Engineer

2801 Teton Street, Boise, Idaho

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No. 21671? How long have you known him and where does he reside?

Ans. Yes; more than 37 years. Office: 1220 Idaho Street, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 21671, 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. The source is the Snake River. The place of diversion is in Lots 4 and 10 of Section 34, Township 5 South, Range 4 East, B M., counties of Elmore and Owyhee, Idaho. Earth fill dam, concrete spillway and steel penstocks diverting water into concrete powerhouse.

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?

At least 15,420 cfs. Inspection of the plant records shows actual conveyance
Ans. and use of 15,420 cfs.

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. Generation of electric power at the C J Strike plant.

21671

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

Ans. Power plant consists of three vertical turbo-generator units of 27,600 kw rated capacity with a total of 82,800 kw. The dam forms a backwater area of approximately 7500 acres in which water is stored during light load periods and released as needed in full plant capacity. Maximum reservoir fluctuation approximately 5 feet. Minimum release, 4000 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. Not applicable.

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 December 8, 1952, I witnessed the use of 15,420 cfs through the C J Strike plant, producing 89,200 kw of electrical power.

(Signed)

Larry L. Dwyer

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 9th day of December,

A. D. 19 52.

Kenna L. Dvorak

Notary Public.

My commission expires May 9, 1956.

Residing in Boise, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 21671

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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, 61, Civil Engineer

410 South Capitol Boulevard, Boise, Idaho

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No. 21671? How long have you known him and where does he reside?

Ans. Yes; more than 27 years. Office: 1220 Idaho Street, Boise, Idaho

Ques. 3. Have you read or heard read said Permit No. 21671, 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. Snake River is the source, with the place of diversion at the dam and power plant in Lots 4 and 10 of Section 34, Township 5 South, Range 4 East, B M. The works consist of an earth fill dam, extending across the river, concrete spillway and powerhouse.

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?

At least 15,420 cfs. Inspection of the plant records shows actual conveyance
Ans. and use of 15,420 cfs.

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 the location of the dam and powerhouse in Lots 4 and 10 of Section 34, Township 5 South, Range 4 East, B M., counties of Elmore and Owyhee, Idaho.

21671

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

Ans. Power plant consists of three vertical turbo-generator units of 27,600 kw rated capacity with a total of 82,800 kw'. The dam forms a backwater area of approximately 7500 acres in which water is stored during light load periods and released as needed in full plant capacity. Maximum reservoir fluctuation approximately 5 feet. Minimum release, 4000 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. Not applicable.

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 December 8, 1952, I witnessed the use of 15,420 cfs through the C J Strike plant, producing 89,200 kw of electrical power.

(Signed)

Myron Swenson
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 9th day of December,

A. D. 19 52.

* Erma L. Swank

Notary Public.

My commission expires May 9, 1956.

Residing at Boise, Idaho.

✓
March 14, 1953

RE: Permit No. 21671

Idaho Power Company
1220 Idaho Street
Boise, Idaho

ATT: Mr. Ben Russell, Chief Engineer

Dear Mr. Russell:

I would like to make inspection at C. J. Strike, under Permit No. 21671 on Wednesday, March 18. Inspection is required by law before license can be issued.

I will be glad to have you or Fred McCormick, or anyone you wish to designate accompany me on this inspection.

Please confirm this date if satisfactory.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

E. N. Humphrey
Deputy State Reclamation Engineer

H:fg

21671

December 29, 1952

RE: Permit No. 21671

Idaho Power Company
1220 Idaho Street
Boise, Idaho

ATT: Mr. James E. Bruce

Dear Mr. Bruce:

We acknowledge receipt of your letters of December 18, and December 23, enclosing depositions and affidavits of publication in connection with completion of works and beneficial use proofs on the above numbered permit.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact your representative at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

MARK R. FULP
State Reclamation Engineer
By

Chief Clerk

fg

21671



IDAHO POWER COMPANY

BOISE, IDAHO

December 23, 1952

RECEIVED
DEC 24 1952
Department of Reclamation

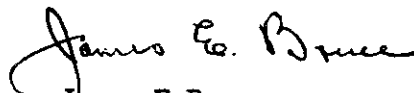
Mr Mark R Kulp
State Reclamation Engineer
State Capitol Building
Boise, Idaho

Dear Mr Kulp:

Re: Permit No 21671

Supplementing my letter of December 18, 1952, with reference to Proof of Application of Water to Beneficial Use and Completion of Works, we have now received the Affidavit of Publication from the Owyhee County paper and it is enclosed herewith.

Very truly yours,


James E Bruce
Attorney

ed
Encl

21671

ATTACH CLIPPING
HERE

NOTICE OF PROPOSAL
OF CONSTRUCTION OF WORKS
AND
APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on Tuesday, December 2, 1932, at 1225 Idaho Street, Boise, County of Ada, State of Idaho, before Emma L. Deszak, Notary Public, proof will be submitted of the completion of works for the diversion of 16,000 cubic feet per second of the waters of the Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21671 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Idaho Power Company, 1225 Idaho Street, Boise, Idaho.

2. 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 diverting to the place of use, in accordance with the plans accompanying the application for such permit, is in excess of 16,000 cubic feet per second.

3. The use to which said water has been applied is for generation of electric power, and the amount applied to beneficial use is in excess of 16,000 cubic feet per second.

4. The place where said water is used is on Lots 4 and 16 of Section 34, Township 3 South, Range 4 East, Boise Meridian, approximately 2073 feet northeasterly from the southwest corner of Section 34, said Township and Range, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 21, 1924, under Permit No. 21671.

MARK R. KULP,
State Reclamation Engineer
Pub. Nov. 6 - Nov. 27, 1932

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, _____, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the editor and co-publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice _____
_____ completion of _____ etc.

of which a printed copy taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in _____ (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

November _____

Signed _____

Subscribed and sworn to before me this _____ day of Dec. _____
A. D., 195____.

Notary Public in and for the State of Idaho.

Residing at _____, Idaho

My commission expires _____, 195____.

21671



IDAHO POWER COMPANY

BOISE, IDAHO

December 18, 1952

RECEIVED
DEC 18 1952
Department of Reclamation

Mr Mark R Kulp
State Reclamation Engineer
State Capitol Building
Boise, Idaho

Dear Mr Kulp:

I am attaching herewith affidavits of Proof of Application of Water to Beneficial Use and Completion of Works of two witnesses and of the Idaho Power Company.

I am also attaching hereto the Affidavit of Publication of notice in the Mountain Home paper. We have not as yet received the affidavit from the paper in Owyhee County, but will forward that as soon as it is obtained.

Very truly yours,

A handwritten signature in cursive script that reads "James E Bruce".

James E Bruce
Attorney

JEB:ed
Encls

21671

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on Tuesday, December 9, 1952, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before Erma L. Dvorak, Notary Public, proof will be submitted of the completion of works for the diversion of 16,000 cubic feet per second of the waters of the Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21671 heretofore issued by the Department of Reclamation of the State of Idaho.

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

2. 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is in excess of 16,000 cubic feet per second.

3. The use to which said water has been applied is for generation of electric power, and the amount to beneficial use is in excess of 16,000 cubic feet per second.

4. The place where said water is used is on Lots 4 and 10 of Section 34, Township 5 South, Range 4 East, Boise Meridian, approximately 2573

user is prepared to comply with the provisions of Permit No. 21671.

MARK R. KUEP
State Reclamation Engineer
First publication Nov. 13, 1952.
Last publication Dec. 4, 1952.

Affidavit of Publication

County of Elmore

STATE OF IDAHO

SS.

I, Eleanor D. Craley do solemnly swear that I am the foreman, the publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in

said newspaper for 4 consecutive weeks, the

first publication having been made on the 13

day of November, 1952, and the

last publication having been made on the 4 day

of December, 1952; every number of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Eleanor D. Craley

Subscribed and sworn to me this 5 day

of December, 1952

Frank R. Kuep
Notary Public

21671

May 1967

N O T E

Plans, specifications, and drawings have been withdrawn from this file and entered into the Records of Dams file.

Permit No. 21671
DQ

21671
02-2080

IDENT. N. 02-2080

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

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RECEIVED
SEP 28 1960

Department of Agriculture

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A G R E E M E N T

1. THIS AGREEMENT, Made and entered into this 10th day of April, 1952, by and between IDAHO POWER COMPANY, a corporation organized and existing under and by virtue of the laws of the State of Maine, duly qualified and doing business in the State of Idaho, hereinafter referred to as the "Power Company", and GRANDVIEW MUTUAL CANAL COMPANY, a corporation organized, existing and operating under the laws of the State of Idaho, hereinafter referred to as the "Canal Company", and SHOOFLY FARMS, a co-partnership consisting of W. A. Bybee and Ruth Bybee, husband and wife, D. O. Bybee and Thelma C. Bybee, husband and wife, and Gordon F. Ray and Leda Ray, husband and wife, the copartners thereof, hereinafter referred to as "Shoofly Farms", and D. O. BYBEE and THELMA C. BYBEE, husband and wife, hereinafter referred to in the singular as "Bybee", and TOTORICA CO., an Idaho corporation, hereinafter referred to as "Totorica Company", and URBANO TOTORICAGUENA and JUANA TOTORICAGUENA, husband and wife, hereinafter referred to in the singular as "Totoricaguena", and CHARLES E. LEE and ELI E. HOLTZMAN, bachelors, hereinafter referred to as "Lee and Holtzman"; the said Canal Company, Shoofly Farms, Bybee, Totorica Company, Totoricaguena and Lee and Holtzman being also sometimes hereinafter referred to collectively as the "Mutual Canal parties",

W I T N E S S E T H:

2. WHEREAS, The Canal Company owns and operates an irrigation system in Owyhee County, Idaho, the facilities thereof comprising,

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among other things, a pumping plant on the left or south bank of Snake River in Section 15, Township 5 South, Range 3 East, Boise Meridian, and a canal and canal system extending from said pumping plant in a general westerly and northwesterly direction across Township 5 South, Range 3 East, Boise Meridian, and Township 5 South, Range 2 East, Boise Meridian, to the terminus of said canal at Birch Creek in Section 2, Township 5 South, Range 2 East, Boise Meridian; and is the owner of certain water rights and/or permits for the appropriation and use of water from Snake River for irrigation purposes, (said permits being Nos. 20071, 21295 and 22595 in the records of the Idaho Department of Reclamation), which water rights and permits are for the aggregate flow of seventy-five (75) cubic feet per second of time, with the point of diversion located at its said pumping plant, and said canal Company desires to change the point of diversion thereof as herein set forth for the reason that the diversion of said waters by Canal Company by pumping from the Snake River requires a pumping lift of approximately one hundred twelve (112) feet to the head of its said canal, with attendant operating and maintenance pumping costs and expenses; and,

3. WHEREAS, Shoofly Farms owns and operates an irrigation system in Owyhee County, Idaho, the facilities thereof comprising, among other things, a pumping plant on the left or south bank of Snake River in section 32, township 5 south, range 4 east, Boise Meridian, and a canal and canal system extending from said pumping plant in a westerly and northwesterly direction for the irrigation

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of lands in township 5 south, range 3 east, Boise Meridian, and is the owner of certain appropriated water rights and rights to the use of water from Snake River for irrigation purposes, with point of diversion located at its said pumping plant, and desires to change the point of diversion thereof as herein set forth for the reason that the diversion of water by Shoofly Farms by pumping from Snake River requires a pumping lift of approximately ninety (90) feet to the head of its said canal with attendant maintenance, operation and pumping costs and expenses; and, Bybee has lands in township 5 south, range 4 east, Boise Meridian, and in township 6 south, range 4 east, Boise Meridian, and has permit to appropriate and use water from Snake River for irrigation purposes, with the point of diversion located at said pumping plant at Shoofly and desires to change the point of diversion for said permits and water rights as herein set forth for the reason that the diversion of water from Snake River by Bybee at such pumping plant requires a pumping lift of approximately ninety (90) feet to the head of the canal therefor with the attendant maintenance, operation and pumping costs and expenses; and, the said lands of Shoofly Farms are situate in the County of Owyhee, State of Idaho, and are particularly described as follows, to-wit:

The premises bounded and described as follows:

Commencing at the northeast corner of section 26, township 5 south, range 3 east, Boise Meridian, the point of beginning; running thence west along the north boundary line of said section 26 a distance of 1320 feet to the northwest corner of the northeast quarter of the northeast quarter of said

section 26, running thence southerly and parallel to the east boundary line of said section 26 a distance of 3960 feet, more or less, to the northwest corner of the southeast quarter of the southeast quarter of said section 26, running thence west 553 feet along the north boundary line of the southwest quarter of the southeast quarter of said section 26 to a point on said boundary line 15 feet west of the west side of the Shoofly Canal, running thence southerly on a meandering line 15 feet west and parallel to the west side of the Shoofly Canal for a distance of 3571 feet, more or less, to a point on the south sideline of the northwest quarter of the northeast quarter of section 35, township 5 south, range 3 east, Boise Meridian, thence east a distance of 200 feet, more or less, to the center of Shoofly Creek, thence northeasterly along the center line of Shoofly Creek a distance of 5388 feet, more or less, to a point on the southwesterly sideline of the right of way of the Grandview Canal, thence northwesterly along the southwesterly sideline of the right of way of the Grandview Canal a distance of 4488 feet, more or less, to a point on the north sideline of section 25, township 5 south, range 3 east, Boise Meridian, thence westerly along the north sideline of said section 25 a distance of 109 feet, more or less, to the northeast corner of section 26, township 5 south, range 3 east, Boise Meridian, the point of beginning, containing 420 acres, more or less;

and, the said lands of Bybee are situate in the County of Owyhee, State of Idaho, and are particularly described as follows, to-wit:

Lots four and five and the southeast quarter of the southwest quarter of section thirty-one, township five south, range four east, Boise Meridian, and lots two, three and four in section six, township six south, range four east, Boise Meridian, containing 311.95 acres, more or less;

and, the said water rights of Shoofly Farms and Bybee aggregate a flow of seventeen and four-tenths (17.4) cubic feet per second of time;

4. And, WHEREAS, Totorica Company is the owner of all that portion of the southeast quarter of section thirty-two, township 5 south, range 4 east, Boise Meridian, in Owyhee County, Idaho, lying south of the main transmission canal of the Grand View Irrigation District in Owyhee County, Idaho, and the said Totoricaguena is the owner of the northeast quarter of the southwest quarter of section 32, township 5 south, range 4 east, Boise Meridian, in Owyhee County, Idaho, and each the said Totorica Company and Totoricaguena claims the right to divert water from Snake River for the irrigation of their said respective lands with the point of diversion in township 5 south, range 4 east, Boise Meridian, in Owyhee County, Idaho, and each the said Totorica Company and Totoricaguena is desirous of irrigating, from the canal to be known as the Mutual Canal hereinafter described, their said respective lands; and,

5. WHEREAS, Lee and Holtzman have the lands in Owyhee County, Idaho, particularly described as follows, to-wit:

The northeast quarter of the northeast quarter, the southwest quarter of the northwest quarter and all that part of the northwest quarter of the northwest quarter of section 36 lying south and east of Shoofly Creek; All that part of the northeast quarter of the northeast quarter of section 35 lying south and east of Shoofly Creek; and the southwest quarter of the southeast quarter, all that part of the northwest quarter of the southeast quarter lying south and west of the Grandview Gravity Canal and also lying south and east of Shoofly Creek, all that part of the northeast quarter of the southwest quarter lying south and east of Shoofly Creek, all that part of the southeast quarter of the southwest quarter lying south and east of Shoofly Creek and all that part of the southwest quarter of the southwest quarter lying south and east of Shoofly Creek, in section 25, all of said lands being situate in township 5 south, range 3 east of the Boise Meridian;

and have the right to receive one (1) cubic foot of water per second of time from the said pumping plant of Shoofly Farms for the irrigation of their said lands and further claim the right to divert additional water in the quantity of two (2) cubic feet per second of time from Snake River at said pumping plant and point of diversion therefor for the irrigation of their said lands and the said Lee and Holtzman are desirous of obtaining their said water for irrigation through the irrigation canal to be known as the Mutual Canal hereinafter described; and,

6. WHEREAS, the Power Company, pursuant to license of the Federal Power Commission under the Federal Power Act, has constructed, owns and operates a hydroelectric power project known as the C. J. Strike Hydroelectric Development, including a dam across Snake River in the West Half of Section 34, Township 5 South, Range 4 East, Boise Meridian, which dam has created and provided a large reservoir upstream therefrom in which the normal top operating level will be maintained at elevations varying from 2450 to 2455, and the Power Company has constructed and owns a canal from said dam along and near the left or south bank of Snake River westerly a distance of approximately 4,000 feet, and outlet works in said dam and from said reservoir into such canal and the Canal Company, Shoofly Farms, Bybee, Lee and Holtzman, and Totorica Company and Totoricaguena can transfer their respective points of diversion to, and divert their respective water rights from, the Power Company's said reservoir and outlet and canal, as herein provided, by gravity flow into the Mutual Canal of the Mutual Canal parties to be constructed as herein provided; and,

7. WHEREAS, the arrangements herein provided will operate to the mutual advantage of all parties hereto in that the Canal Company, Shoofly Farms, Dybes, Totorica Company, Totoricaguena and Lee and Holtzman will eliminate all or a portion of their respective pumping costs, and the Power Company, by the elimination of the respective points of diversion of the several Mutual Canal parties below the C. J. Strike Dam on the south bank of Snake River, can obtain a more efficient use of the waters of the river and reservoir through greater flexibility in the operation of its power plant; and,

8. WHEREAS, the respective uses of the parties are necessary to the continued growth and development of the area, and the arrangements herein provided for will permit the most complete, economical and beneficial use and development of the water and power resources of the State of Idaho; and it is the considered judgment of the parties hereto that the arrangements herein made and agreed to are in the best interests of all parties hereto, with mutual and separate advantages and benefits to all concerned;

9. NOW, THEREFORE, in consideration of the agreements and covenants of the parties herein contained, the said parties have contracted and agreed, and do hereby contract and agree, as follows:

10. THE POWER COMPANY AGREES:

(a) That it has constructed and installed, and will hereafter maintain, in and from its C. J. Strike Dam and Reservoir, on or near the left or south bank of Snake River, a concrete outlet works with control gate and other related facilities, and a canal extending westerly therefrom a distance of approximately 4,000 feet to a point near the north line of the southwest quarter of the southwest quarter of section 33, township 5 south, range 4 east, Boise Meridian; with concrete outlet works and adjustable

gate at the terminus of Power Company's said canal, with a water elevation of approximately 2449.75 feet at such terminus, and, such other facilities as will permit the safe delivery of a reasonably uniform flow of water, as hereinafter provided, to the Mutual Canal, being the canal of the Mutual Canal parties to be constructed as hereinafter provided;

(b) That it will make available, in the manner hereinafter specified, for diversion into the Mutual Canal of the Mutual Canal parties where the said Mutual Canal joins onto the Power Company's said outlet works at the terminus of the Power Company's said canal, (hereinafter sometimes referred to as the "point of water availability"), without charge, cost or expense, during the period from March 15th to October 31st of each year, a sufficient flow and quantity of irrigation water from its C. J. Strike Reservoir to provide the respective Mutual Canal parties herein-after named at their respective outlet works and diversion points from said Mutual Canal, after allowing for reasonable evaporation, seepage and other canal losses in transmission in the Mutual Canal, the flow and quantity of water as follows:

To the Canal Company, a flow of seventy-five (75) cubic feet per second of time;

To Shoofly Farms and Bybee, a flow of seventeen and four-tenths (17.4) cubic feet per second of time;

To Lee and Moltzman, a flow of three (3) cubic feet per second of time;

To Totorica Company and Totoricaguena, a flow of one and six-tenths (1.6) cubic feet per second of time;

PROVIDED, HOWEVER, that during the 1952 irrigation season the delivery of water to each of the said Mutual Canal parties shall commence upon the completion of the construction of the Mutual Canal and the respective outlet works therefrom to be constructed as provided in this agreement;

(c) That it will contribute to the cost of the Mutual Canal and the pumps and outlet works therefrom to be constructed as in paragraph 12(a) provided, the amount of Nine Thousand Eight hundred Dollars (\$9,000.00), it being understood and agreed that the Power Company has and will have no interest in nor responsibility with respect to the design, construction, operation or maintenance of, or ownership of, such Mutual Canal, pumps or outlet works;

(d) That the Power Company will not in any respect, directly or indirectly, hinder or in any way prevent any of the Mutual Canal parties from perfecting any of their said respective water rights, as provided in this agreement, should any action or proceedings by any such party appear to such party to be advisable or necessary, and that for all of the purposes of this agreement the Power Company will recognize the water right of the Canal Company is seventy-five (75) cubic feet of water per second of time, and of the Shoofly Farms and Bybee seventeen and four-tenths (17.4) cubic feet per second of time, and of Lee and Moltzman three (3) cubic feet per second of time, and of Totorica Company and Totoricaguena one and six-tenths (1.6) cubic feet per second of time;

11. IT IS UNDERSTOOD AND AGREED By and between the Power Company and the Mutual Canal parties that the diversion of irrigation water from the terminus of the said canal of the Power Company into the Mutual Canal, at the said point of water availability, shall be done and controlled in the following manner:

The Power Company has built and will maintain an adjustable gate at the terminus of the Power Company's said canal and will install in Mutual Canal a staff gauge for the indication of the water flow in the Mutual Canal and will keep sufficient water available in the said canal of the Power Company at such canal gate to supply the irrigation water rights in the amounts fixed by this contract for the respective Mutual Canal parties, and the Mutual Canal parties shall be solely responsible in the control and operation of such gate and the opening and closing thereof to permit the flow of water within the limitations set forth in this agreement into the Mutual Canal, and the Power Company shall have no responsibility nor obligation to the Mutual Canal parties to adjust such gate nor the flow of waters through such gate but shall be responsible and obligated in that respect only to have the irrigation waters at such gate for the flow thereof through such gate into the Mutual Canal, and should the Power Company at any time adjust or control such gate at the request of the Mutual Canal parties or some one of them, or the agent or employee of all of them or some one of them, and without charge, and only as an accommodation to the Mutual Canal parties, such action shall be without liability on the part of the Power Company or obligation

to continue thereafter to adjust or control such gate.

12. THE MUTUAL CANAL PARTIES AGREE with the Power Company and with each other as follows:

(a) To construct, and thereafter maintain and operate, a canal to be known as, and herein referred to as, the "Mutual Canal", from the terminus of the Power Company's canal at the point of water availability, capable of carrying to the Mutual Canal parties at their respective points of diversion from said Mutual Canal the irrigation water herein provided for each of them, at the sole cost and expense of said Mutual Canal parties excepting only for the contribution of \$9,000.00 by the Power Company to the construction of such Mutual Canal as herein provided. Said Mutual Canal parties agree with the Power Company that they will maintain or provide for maintenance of said Mutual Canal so as to eliminate and prevent obstructions therein, and to prevent and avoid unreasonable wastage and leakage of water therefrom in accord with good irrigation practice.

(b) To take the steps as will be necessary to change their respective points of diversion on Snake River for their said water rights for irrigation purposes hereinbefore specified to the outlet works in the Power Company's said C. J. Strike Dam and thence through the said canal of the Power Company to the said point of water availability hereinbefore defined and from thence into the said Mutual Canal,

13. Each the Canal Company, Snoofly Farms, Eybee, Totorica Company, Totoricaguena, and Lee and Holtzman, agrees with the Power Company as follows:

The Canal Company agrees that its said water right shall be used only for irrigation at and upon the lands bounded on the south by the present main transmission canal of the Canal Company and on the north by the main transmission canal of the Grand View Irrigation District and on the west by Birch Creek and on the east by a line running due north from the pumping plant of the Canal Company to be constructed at or near the terminus of the Mutual Canal, to the main transmission canal of Grand View Irrigation District, and the Power Company agrees with the Canal Company that said water right of seventy-five (75) cubic feet per second of time is appurtenant to all such lands,

Shoofly Farms and Bybee and the Power Company agree with each other that the said water right of Shoofly Farms and Bybee is appurtenant to the said respective lands of Shoofly Farms and Bybee hereinbefore described, but that any part of the waters in such water right in excess of the quantity necessary for the irrigation of the said lands of Shoofly Farms may be used for the irrigation of any other lands on which such waters can be placed to a beneficial use for irrigation and which may be irrigated from the said Mutual Canal by diversion therefrom at any point easterly of the most westerly boundary of said lands of Shoofly Farms by any means whatsoever and further and without limitation on the above provision the place of use of any such waters may be changed without limit to any other lands which may be irrigated from the Mutual Canal to be built as hereinbefore provided by any means whatsoever; PROVIDED, HOWEVER, that the place of use of any such irrigation

right and waters appurtenant to said lands of Snoofly Farms shall not be changed until the contract balance on the purchase price of such Snoofly Farms remaining unpaid and the interest thereon shall be fully paid.

Totorica Company and Totoricaguena and the Power Company agree each with the others that said water right of one and six-tenths (1.6) cubic feet per second of time is appurtenant to the said respective lands of Totorica Company and Totoricaguena and that the use thereof shall be limited to the irrigation of their said respective lands as hereinbefore described, but that each the said Totorica Company and Totoricaguena may change the place of use of said water right from any said lands to any other lands which may be irrigated from said Mutual Canal to be built as hereinbefore provided by any manner or means whatsoever;

Lee and Holtzman and the Power Company agree each with the other that the said water right of Lee and Holtzman of three (3) cubic feet per second of time is appurtenant to the said described lands of Lee and Holtzman and that the use thereof shall be limited to irrigation at and upon such lands, but that Lee and Holtzman shall have the right to change the place of use of such water to any other lands to which such water can be placed to beneficial use for irrigation by diversion by any means whatsoever from said Mutual Canal; PROVIDED, HOWEVER, that the place of use of any such irrigation right and waters shall not be changed until the contract balance on the purchase price of said lands of Lee and Holtzman, and the interest thereon, shall be fully paid.

14. IT IS FURTHER AGREED:

(a) That the Power Company shall be the sole owner of, and shall maintain and operate, the said concrete outlet works with control gate and other related facilities, from its said dam and reservoir together with the said canal extending westerly therefrom a distance of approximately four thousand (4000) feet to the point of water availability hereinbefore specified; and,

(b) That the said Mutual Canal to be built by the mutual Canal parties as herein provided shall be solely owned by them pro rata and in accordance with the extent of their respective water rights as herein provided to their respective points of diversion and outlet works from said canal, and said Mutual Canal shall be operated and maintained by the said Mutual Canal parties who shall contribute to the cost of operation and maintenance thereof pro rata and according to the extent of their said respective water rights as herein stated to their respective points of diversion from said canal for the irrigation of their respective lands, that is to say, as to Shoofly Farms, Bybee, Totorica Company, Totoricaguena, and Lee and Holtzman, each shall contribute the pro rata portion of the cost of the maintenance and operation thereof from the head end or intake thereof to such parties' outlets from said canal for the irrigation of their respective lands.

15. Shoofly farms agrees to grant and convey free of charge a right of way and easement across its said lands for the construction, operation and maintenance of said Mutual Canal.

16. Totorica Company and Totoricaguena agree to grant and convey, free of charge, a right of way and easement over and across lands lying in Owyhee County, Idaho, being specifically the south half of section 32, township 5 south, range 4 east, Boise Meridian, for the construction, operation and maintenance of said Mutual Canal.

17. Lee and Moltzman agree that they will grant and convey, free of charge, a right of way and easement over and across their said lands for the construction, operation and maintenance of said Mutual Canal.

18. Each, the Canal Company, Snoofly Farms, Bybee, Totorica Company, Totoricaguena, and Lee and Moltzman agrees with the Power Company as follows:

(a) That it, he or they, as the case may be, will use the water provided for under paragraph 10(b) above, in an economical and husband-like manner and without waste and shall take only such quantities of water as shall be needed for irrigation requirements up to such party's maximum amount hereinbefore set forth, and will not unnecessarily waste or spill, or permit such wasting or spilling of any such water; and that any and all water not being used or required for irrigation purposes shall inure to the benefit of the Power Company for use in and through its power plant under and as a part of its project water rights.

(b) That it, he or they, as the case may be, shall be solely responsible for the determination and notification to the Power Company of the quantities of water and time for such

party (within the limitations hereinabove set forth) to be made available at the said point of water availability.

19. The Canal Company, Shoofly Farms, Bybee, Totorica Company, Totoricaguena, and Lee and Moltzman, jointly and severally agree with the Power Company as follows:

To maintain and operate their said Mutual Canal and their respective water delivery and distribution systems in accordance with good irrigation practice, so as to prevent and avoid unreasonable wastage and leakage of water therefrom; that the Power Company shall in no event be liable or responsible for any damage to said canal beyond the point of water availability which may result from, or in connection with, the discharge into such canal of the amount of water provided in this agreement or such lesser quantity in the aggregate as said parties may, in writing, specify as the amount of water to be delivered to them from time to time, or for any loss or damage, of any kind or nature whatsoever, occurring to any of the parties, or to any of their members or stockholders, including damages to lands or crops, or any other direct, proximate or remote damages occurring or resulting from any reason or cause whatsoever, so long as the Power Company has the requisite amount of water, provided for herein, in its canal, at the point of water availability as set forth in paragraph 10(b) above;

20. In consideration of this agreement entered into with the Power Company, the Mutual Canal parties each in its own behalf and in behalf of its members and stockholders, if any, jointly

and severally waive and hereby release and discharge the Power Company from and against any and all claims or possible claim for damages or liability of any sort or description which have or may have occurred prior to the date of this agreement from any cause, including the operation of the Power Company's dams and the fluctuation or claimed fluctuation of the waters of Snake River.

21. No party shall be considered to be in default of any obligation or liable or responsible for any loss or damage hereunder if prevented from fulfilling such obligation by reason of uncontrollable forces, including acts of God and the public enemy, or from accident, war, sabotage, explosion, fire, earthquake, restraint by court or public authority, or other cause which by exercise of foresight and due diligence such party could not have reasonably been expected to avoid. Such party shall exercise due diligence, however, to remedy such cause or remove such inability with all reasonable dispatch.

22. IT IS UNDERSTOOD AND AGREED that failure by the Canal Company, Shoofly Farms, Bybee, Totorica Company, Totoricaguena and Lee and Holtzman, or any of them, to perform any of the covenants herein contained, shall not be construed to give the Power Company the right to refuse or fail to make available to such parties as herein provided, the water hereinbefore agreed by the Power Company to be made available for them at the point of water availability in accordance with the terms of this agreement, and that the rights of the Power Company, in the event of breach or failure to perform any of the provisions hereof by such parties, shall be limited to injunctive relief, damages, or such other equitable or legal measures and remedies as may be enforced in a court of competent jurisdiction.

23. Any notice given to the Power Company hereunder shall be given or mailed, in writing, to the Power Company's Superintendent of the said C. U. Strike hydroelectric Development, or may be given or mailed, in writing, to the Power Company's President and General Manager, 1220 Idaho Street, Boise, Idaho; and any notice given by the Power Company to any of the parties hereunder shall be given, in writing, to said parties at Grand View, Idaho, or Boise, Idaho, or to such person or address as they, respectively, shall designate.

24. This agreement and the respective rights and obligations hereunder shall inure to the benefit of and be binding upon the respective successors and assigns of the parties.

IN WITNESS WHEREOF, the Power Company has hereunto caused its corporate name to be subscribed and its corporate seal to be affixed by its officers first thereunto duly authorized by resolution of its Board of Directors, and the Canal Company has hereunto caused its corporate name to be subscribed and its corporate seal to be affixed by its officers first thereunto duly authorized by resolution of its Board of Directors, and Totorica Company has hereunto caused its corporate name to be subscribed and its corporate seal to be affixed by its officers first thereunto duly authorized by resolution of its Board of Directors, and the said Shoofly Farms, Bybee, Totoricaguena, and Lee and Holtzman have hereunto subscribed their names, all as of the day and year herein first above written.

IDAHO POWER COMPANY

By A. C. Inman, Vice President

ATTEST:

E. A. Andersen, Asst. Secretary

GRANDVIEW MUTUAL CANAL COMPANY

By: Norris A. McKeeth
Norris A. McKeeth, President

ATTEST: W. J. Biadeau
W. J. Biadeau, Secretary

SHOOTLY FARMS

By: W. A. Bybee
W. A. Bybee

Ruth Bybee
Ruth Bybee

D. O. Bybee
D. O. Bybee

Thelma C. Bybee
Thelma C. Bybee

Gordon W. Ray

Leda Ray
THE CO-PARTNERS THEREOF.

D. O. Bybee
D. O. Bybee

Thelma C. Bybee
Thelma C. Bybee

TOTORICA CO.

By: Leandro Totoricaguena
Leandro Totoricaguena, President

ATTEST: Stanton Park
Stanton Park, Secretary

Leandro Totoricaguena

Juana Totoricaguena

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Charles E. Lee
Charles E. Lee

Eli E. Holtzman
Eli E. Holtzman

By Charles E. Lee
His atty. in fact

STATE OF IDAHO, }
COUNTY OF ADA, } ss.

On this 16th. day of April, in the year 1952, before me,
the undersigned, a Notary Public in and for said State, personally
appeared A. C. Inman and E. A. Anderson, known to me to be the
Vice President and Assistant Secretary, respectively, of Idaho
Power Company, the corporation that executed the foregoing instrument,
and acknowledged to me that such corporation executed the same.

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

(S E A L)

/S/ G. H. Peterson
Notary Public for Idaho
Residing at Boise, Idaho

STATE OF IDAHO,)
COUNTY OF ADA,) ss.

On this 30th. day of April, in the year 1952, before me,
the undersigned, a Notary Public in and for said State, personally
appeared Norris A. McKeeth and W. J. Biladeau, known to me to be
the President and Secretary, respectively, of Grandview Mutual
Canal Company, the corporation that executed the foregoing instrument, and
acknowledged to me that such corporation executed the same.

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

(S E A L

/S/ Ferne Witt
Notary Public for Idaho
Residing at Boise, Idaho.

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STATE OF IDAHO,)
) ss.
COUNTY OF AD.,)

On this 30th day of April, in the year 1952, before me, the undersigned, a Notary Public in and for said State, personally appeared W. A. Bybee, D. O. Bybee and Gordon F. Ray, known to me to be three of the partners in Snoofly Farms, a copartnership, who subscribed said partnership name to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

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

Terre With
Notary Public for Idaho,
Residing at Boise, Idaho.

STATE OF IDAHO,)
) ss.
COUNTY OF AD.,)

On this 30th day of April, in the year 1952, before me, the undersigned, a Notary Public in and for said State, personally appeared D. O. Bybee and Thelma C. Bybee, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Terre With
Notary Public for Idaho,
Residing at Boise, Idaho.

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STATE OF IDAHO,
COUNTY OF ADA,

On this 1st day of May, in the year 1922, before me,
the undersigned, a Notary Public in and for said State, personally
appeared Charles W. Lee and Eli S. Holtzman ³ ~~known to~~
me to be the persons ~~who~~ ^{is} described in the within
instrument, and acknowledged that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal, this 1st day of May in this year, 1922, first
above written.

G. C. Kuer
Notary Public for Idaho,
Residing at Boise, Idaho.

STATE OF IDAHO, }
COUNTY OF Owyhee, } ss.

On the 10th day of June, 1952, before me, the undersigned,
a Notary Public in and for said State, personally appeared
Charles E. Lee, known to me to be the person whose name is sub-
scribed to the within instrument as the attorney in fact of
Eli E. Holtzman, and acknowledged to me that he subscribed the
name of Eli E. Holtzman therein as principal, and his own name
as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and official
seal this 10th day of June, 1952.

[Signature]
Notary Public for Idaho,
at Boise, Idaho.

21671

Idaho Power Company	to	Grandview Mutual Canal Co., et al
AGREEMENT		
Recorded in Book 8	of	Bonds & Agreements
at Page 153	of	Records of Owyhee County, State of Idaho.
I, Virginia Kershner, Deputy, do hereby certify that the foregoing is a full, true and correct copy of certain Agreement		
from Idaho Power Company to Grandview Mutual Canal Co., et al		
as the same appears on record in Book No. 8 of Bonds & Agreements at Page 153 Records of Owyhee County, State of Idaho.		
IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 22nd.		
y of September 19 60		
[Signature] Notary Public		

STATE OF IDAHO, }
County of Owyhee, } ss.

I, NICK IHLE, Ex-Officio Recorder in and for Owyhee County, State of
Idaho, do hereby certify that the foregoing is a full, true and correct copy of certain Agreement

from Idaho Power Company to Grandview Mutual Canal Co., et al

as the same appears on record in Book No. 8 of Bonds & Agreements at Page 153 Records
of Owyhee County, State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 22nd.

y of September 19 60

[Signature] Notary Public

FEDERAL POWER COMMISSION
WASHINGTON 25

Project No. 2055
Idaho Power Company

21671 St. L.

Department of Reclamation
Boise
Idaho

JUL --3 1957

RECEIVED
JUL 12 1957
Department of Reclamation

Gentlemen:

Enclosed for your information is a copy of Amendment
No. 1, Instrument No. 5, of the license for Project No. 2055,
issued to the Idaho Power Company.

Very truly yours,


Secretary

Enclosure No. 112180
Copy of Amendment No. 1

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

Before Commissioners: Jerome K. Kuykendall, Chairman; Seaborn L. Digby,
Frederick Stueck, William R. Connole and Arthur J. Kline.

In the Matter of
Idaho Power Company

Project No. 2055

RECEIVED
JUL 12 1957

ORDER APPROVING REVISED EXHIBITS AND
ADJUSTING ANNUAL CHARGES

Department of Reclamation

(Issued May 20, 1957)

Application was filed December 26, 1956 by Idaho Power Company, licensee for major Project No. 2055, for amendment of its license for the project to include as a part thereof additional lands, some of which are private and the balance lands of the United States. As a part of its application, the licensee filed Exhibit F, a statement pertaining to project lands, and Exhibits J and K (FPC Nos. 2055-17 through -22) which supersede Exhibits J and K (FPC Nos. -2 through -7) now part of the license.

The additional lands to be included in the project are those agreed upon by the U. S. Fish and Wildlife Service, the Idaho Fish and Game Department and the licensee to satisfy the interests of fish and wildlife and other beneficial public uses, including recreation and those lands which are affected by seepage from the project reservoir and diversion canal.

The effect of approval of revised Exhibits J and K (Exhibit F requires no Commission approval) would be to increase the area of lands of the United States occupied by the project from 2,684.03 acres to 3,019.11 acres, an increase of 335.08 acres, with a resultant increase in the annual charges for the occupancy of lands of the United States from \$5,368.06 to \$6,038.22.

An Assistant Secretary of the Interior has reported that the additional lands of the United States to be included in the project would not be adversely affected thereby and would contribute to the management of fish and wildlife resources.

The Commission finds:

(1) Revised Exhibits J and K (FPC Nos. 2055-17 through -22) conform to the Commission's rules and regulations and should be approved as part

of the license as amended for Project No. 2055, and superseded Exhibits J and K (FPC Nos. 2055-2 through -7) should be eliminated therefrom as hereinafter provided.

(2) The charge specified in paragraph (C)(4)(ii) of the license should be adjusted and such adjusted charge is reasonable as hereinafter fixed.

The Commission orders:

(A) The revised Exhibits J and K referred to in finding (1) above are approved as part of the license for the project and the superceded Exhibits J and K are eliminated from the license.

(B) Paragraph (C)(4)(ii) of the license is amended, effective as of January 1, 1957, to read as follows:

(C)(4)(ii) For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands, exclusive of those used for transmission line right-of-way, \$6,038.22.

(C) This order shall become final thirty (30) days from the date of its issuance unless application for rehearing shall be filed as provided in Section 313 (a) of the Federal Power Act, and failure to file such an application shall constitute acceptance of this order. In acknowledgment of the acceptance of this order, it shall be signed for the license and returned to the Commission within sixty (60) days from the date of issuance of this order.

By the Commission.

Joseph H. Gutride,
Secretary.

IN TESTIMONY of its agreement to the foregoing order, Idaho Power Company, this 31st day of May, 19 57 has caused its corporate name to be signed hereto by T. E. Roach, its _____ President, and its corporate seal to be affixed hereto and attested by A. C. Inman, its _____ Secretary, pursuant to a resolution of the Executive Committee of its Board of Directors duly adopted on the 13th day of July, 19 50 a certified copy of the record of which is attached hereto.

IDAHO POWER COMPANY

By T. E. Roach
President

Attest:

A. C. Inman
Secretary

(Executed in quadruplicate)

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

RECEIVED
AUG 19 1954
Department of Reclamation

Before Jerome M. Hupkendall, Chairman; Seaborn L. Dight and
Commissioners: Frederick Stueck.

In the Matter of

Idaho Power Company

)
)
)
Project No. 2055

ORDER APPROVING REVISED EXHIBIT AND PRESCRIBING ANNUAL CHARGES

The Idaho Power Company, licensee for Project No. 2055, filed with the Commission an application for an amendment of plans requesting that the project boundary be extended to include an additional 306.44 acres of land as part of the project area. The application stated the extension was necessary, because the additional lands are subject to seepage from the reservoir. Of the added land 266.44 acres are public lands of the United States, 4.26 acres of which have been reserved heretofore for an access road to the project.

The additional lands are located in Sec. 27, 28, and 33, T. 5 S., R. 4 E., B. M., Idaho, and are shown on Exhibit K (FPC No. 2055-3) now part of the license. Applicant by letter dated November 10, 1953, granted permission for the Commission staff to make the necessary corrections to Exhibit K to show land ownership and new project boundary of the additional lands, which corrections have been made.

Certain of the subject lands had been filed on by the Idaho Fish and Game Department for a wildlife withdrawal, but the Department's report on this application indicates willingness to vacate its application provided the lands are developed by the applicant to improve wildlife habitat. The applicant states that this will be done in accordance with a previous agreement for supervision of the area by the Department.

An Assistant Secretary of the Interior, acting for the Secretary, reported on the application. He stated that the conflict among the licensee, the Idaho Fish and Game Department and the United States Fish and Wildlife Service had been resolved by an agreement that any use by the Idaho State Fish and Game Commission for wildlife purposes under public land order and cooperative agreement with the Fish and Wildlife Service will be subject to the licensee's rights under the license.

The effect of approving Exhibit K as revised will be to enlarge the area of United States lands utilized by the project from 2421.85 to 2684.03 acres and increase correspondingly the annual charge for the use of such lands.

21671

The Commission finds:

- (1) The above-described Exhibit K with corrections to the tracings thereof made by the staff with the licensee's written permission conforms to the Commission's Rules and Regulations.
- (2) The amount of annual charges hereinafter specified for inclusion as revised Paragraph (C) (4) (ii) of the license to recompense the United States for the use, occupancy, and enjoyment of its lands, exclusive of those used for transmission line right-of-way, is reasonable.

The Commission orders:

- (A) The revised exhibit referred to in the above finding (1) is hereby approved as part of the license for Project No. 2055.
- (B) Paragraph (C) (4) (ii) of the license is hereby revised to read as follows:

(C) (4) (ii) For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands, exclusive of those used for transmission line right-of-way, \$5,368.06.
- (C) This order shall become final thirty (30) days from the date of its issuance unless application for rehearing shall be filed as provided by Section 313 (a) of the Federal Power Act, and failure to file such an application shall constitute acceptance of this order.

By the Commission.

Leon M. Fuquay,
Secretary.

Adopted: August 4, 1954

Issued: August 10, 1954

2055

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MAY 7 1954
Department of Reclamation

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

In the Matter of
Idaho Power Company

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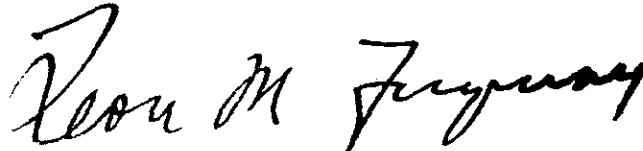
Project No. 2055

April 28, 1954

ERRATUM NOTICE

Please ~~correct~~ the order adopted by the Commission on
February 10, 1954, in the above-entitled matter as follows:

Page 3, third line from bottom - Change "\$264.04" to "\$246.04".



Leon M. Fuquay,
Secretary.

21671

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

RECEIVED
FEB 19 1954

Before Jerome K. Kuykendall, Chairman; Claude L. Draper,
Commissioners: Nelson Lee Smith, Dale E. Doty and Seaborn L. Digby. Department of Reclamation

In the Matter of)

Idaho Power Company)

Project No. 2055

ORDER APPROVING EXHIBITS AND PRESCRIBING ANNUAL CHARGES

In compliance with paragraph (C) (3) of its license for Project No. 2055, Idaho Power Company, licensee, filed application on May 16, 1952 for Commission approval of Exhibits F, J, K, and M pertaining to the 138-kv transmission lines between the project and Caldwell and Mountain Home, Idaho.

In reporting on the application, the Secretary of the Interior recommended inclusion in any revision of the license conditions providing for wheeling power over the project transmission lines, joint use of the public lands crossed by the lines by roads, pipelines, ditches, etc., and for the continuation of land conservation practices.

Following an exchange of views between the Secretary and the licensee relating to the Secretary's recommended conditions, the latter concluded that the wheeling condition would not be required. The two remaining conditions recommended by the Secretary are included in the license revised substantially as recommended.

The effects of approving Exhibit K-2 (FPC Nos. 2055-15 and -16), detailed maps showing transmission lines, would be to establish the area of lands of the United States used for transmission-line right-of-way only, and to fix and specify in the license the amount of the annual charges for Project No. 2055 for the use, occupancy, and enjoyment of its lands for transmission line purposes only.

The Commission finds:

- (1) Exhibits J-2 (FPC No. 2055-14), K-2 (FPC Nos. 2055-15 and -16), with minor corrections to the tracings thereof by the staff with written permission of the licensee, and Exhibit M-2, conform to the Commission's rules and regulations.
- (2) Paragraphs (a) and (b) and paragraph (c)(4) (iii) of the license for Project No. 2055 should reflect the changes shown in the approved exhibits, as hereinafter provided.

21671

- (3) The license for the project should be further revised to include the two additional conditions substantially as recommended by the Secretary of the Interior.
- (4) The amount of annual charges hereinafter specified in paragraph (C) (4) (iii) of the license for the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands, is reasonable.

The Commission orders:

- (A) The exhibits described in finding (1) above are hereby approved as part of the license for Project No. 2055.
- (B) Paragraphs (a) and (b) of the license for the project are hereby revised to read as follows:
 - (a) All lands constituting the project area and enclosed by the project boundary or the limits of which are otherwise defined and/or interest in such lands necessary or appropriate for the purpose of the project, whether such lands or interest therein are owned or held by the applicant or by the United States; the location of such project area and project boundary, being more specifically shown and described by certain exhibits which formed part of the applications for license or amendment thereof and which are designated and described as follows:
 - Exhibit J: (FPC No. 2055-2) General map of project area;
 - Exhibit J-2: (FPC No. 2055-14) General map of transmission lines revised in the Commission November 12, 1953;
 - Exhibit K: Sheets 1 to 5 inclusive (FPC Nos. 2055-3 to -7 inclusive) Detailed maps showing reservoir area; and
 - Exhibit K-2: Sheets 1 and 2 (FPC No. 2055-15 and -16) Detailed maps showing transmission lines, revised in the Commission November 12, 1953;
 - (b) Principal structures, comprising an earth dam about 120 feet in maximum height, with reinforced concrete gated spillway section located at the Hopkins Ferry site about 1 mile downstream from the mouth of Bruneau River, creating a reservoir extending upstream about 32 miles and having an area of approximately 7,500 acres at elevation 2,455 feet at the dam; an intake structure;

21171

three steel penstocks, each about 300 feet in length; a reinforced concrete powerhouse containing three 38,000-horsepower turbines connected to three 27,500-kilowatt generators; transformers and switching structures; two 138-kilovolt transmission lines, one extending approximately 7½ miles northwesterly to Caldwell, Idaho, and the other extending 31 miles northeasterly to Mountain Home, Idaho; and appurtenant facilities; the location, nature, and character of which are more specifically shown and described by the exhibits hereinbefore cited and by certain other exhibits which also formed part of the applications for license or amendment thereof and which are designated and described as follows:

Exhibit L: Plans in five sheets comprising:

Sheet 1 (FPC No. 2055-8) - General Plan;

Sheet 2A (FPC No. 2055-13) - Sections Through Power House & Dam;

Sheet 2 (FPC No. 2055-12) - Spillway Section & Downstream Elevation;

Sheet 3 (FPC No. 2055-10) - Power House Plans & Sections;

Sheet 4 (FPC No. 2055-11) - One Line Wiring Diagram.

Exhibit M: A statement in one sheet entitled "General Description and Specifications of Equipment";

Exhibit M-2: A statement in one sheet entitled "General Description and Specification of Transmission Lines", filed May 22, 1952.

(C) Paragraph (C) (4) (iii) of the license for the project is hereby revised to read as follows:

(iii) For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands used for transmission-line purposes only, \$264.04.

(D) The license for the project is hereby revised to eliminate therefrom paragraph (C) (3).

21671

- (E) The license for the project is hereby further revised to include therein the following additional articles:

Article 28: The Licensee shall initiate and continue such land conservation practices on the right-of-way across lands of the United States occupied by the transmission lines as may be prescribed by the Commission upon the recommendation of the Secretary of the Interior.

Article 29: The Licensee hereby releases the United States from all damages or claims for damages which may result from the construction, operation or maintenance by the United States, on lands of the United States occupied by the project transmission lines, of such roads, pipelines, ditches, canals or other irrigation works, power works, or telegraph, telephone, electric transmission or distribution lines and shall at its own expense make such reasonable alterations of its transmission lines and appurtenant structures and works to accommodate such works of the United States as may be requested by the Commission upon the recommendation of the Secretary of the Interior.

- (F) This order shall become final thirty (30) days from the date of its issuance unless application for rehearing shall be filed as provided by Section 313 (a) of the Federal Power Act, and failure to file such an application shall constitute acceptance of this order.

By the Commission,

Leon M. Fuguay,
Secretary.

Adopted: February 10, 1954

Issued: February 15, 1954

21671

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DEC 4 1953

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

Department of Reclamation

Before Jerome K. Kuykendall, Chairman; Nelson Lee Smith,
Commissioners: Dale E. Doty and Seaborn L. Digby.

In the Matter of

Idaho Power Company

}
Project No. 2055
}

ORDER DETERMINING REQUIREMENTS AND REGULATIONS
IN THE INTEREST OF FISH AND WILDLIFE

Paragraph (C)(5) of the Commission's order issued February 7, 1951 dismissing application for preliminary permit and issuing license for the proposed C. J. Strike hydroelectric development of the Idaho Power Company, designated as Project No. 2055, reserved to the Commission the right to determine at a future date after further investigation reasonable requirements and regulations in the interest of fish and wildlife.

Since issuance of the license, Idaho Power Company (Company), the U. S. Fish and Wildlife Service (Service), and the Idaho Fish and Game Department (Department), have made investigations and field surveys, and have held numerous conferences relative to the matter of fish and wildlife problems insofar as the operation and maintenance of Project 2055 might affect such problems. The investigations, surveys and conferences have culminated in a signed agreement among the Licensee, the Service, and the Department, dated July 24, 1953, under which:

1. The Company Agrees:

(a) To permit the Department, subject to the primary purpose of the project, to use all of the lands now owned or controlled by the Company, and not otherwise required for conflicting use by the Company, acquired for reservoir purposes or in connection with the C J Strike Project, including that portion of the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 16, Township 6 South, Range 5 East, Boise Meridian, effective as of the termination of the presently existing life easement; said permission shall be limited by the terms of those permanent farming and grazing easements now of record affecting any lands between the 2455 and 2460 contour, and any farming and grazing leases for the year 1953 on those lands of the Company located in the Bruneau Valley, and also exclusive of that certain parcel of land on the south bank of the Snake River at or near the Loveridge (or Bruneau) Bridge used by lessees of the Company as a small boat moorage and for related recreational uses; said lands to be used and managed by the Department for the propagation, feeding and conservation of fish, water-fowl and wildlife, and for hunting, fishing and other general recreational uses by the public;

21671

(b) To assign to the Department, for use on the aforesaid land in raising crops, maintaining fish ponds, and other related purposes, sufficient water from the decreed or appropriated water rights for lands owned by the Company in Bruneau Valley to meet the Department's requirements, provided, however, that the Department shall pay the assessments and operation and maintenance charges for all water so assigned or used, and shall use the water and water rights so as to prevent their loss by abandonment, lapse, or otherwise; and shall inform the Company as soon as practicable of the amount of water desired in order that the Company may, if it desires, make other arrangements for the water not required;

(c) The Department may, at its own risk, construct and maintain on the lands covered under this agreement, any roads, buildings, fences, canals, dikes or other structures necessary for the proper administration of the fish, wildlife and recreational resources of the area, with the title to those improvements capable of being removed remaining in the State of Idaho;

(d) To attempt to purchase Dilley and Stevens Islands on or before January 1, 1954, and in the event of failure to complete such purchase, to provide, upon request, funds to the United States in the maximum amount of \$1,000.00 for Dilley Island in Sections 26, 35 and 36, Township 2 North, Range 4 West, Boise Meridian, and to the State of Idaho in the maximum amount of \$500.00 for Stevens Island in Section 34, Township 5 South, Range 7 East, Boise Meridian, for use in making the purchases of said islands;

(e) After notice and hearing, and upon order of the Federal Power Commission, to construct bank protection facilities upon any Federal or State owned islands, within a distance of 10 miles downstream from the C J Strike Dam, that show signs of serious erosion damage resulting from fluctuating water levels caused by operation of said dam.

2. The Department Agrees:

(a) That in the operation, control and management of the project lands turned over to it by the Company, it will operate said lands so as to provide at all times the maximum amount of benefit, enjoyment and use by the general public, and will allow a substantial portion of said lands and adjacent reservoir to be available to the public as a hunting and fishing area during the general open seasons;

(b) That it will comply with all federal, state and local laws, rules and regulations with respect to the lands covered by this agreement, including noxious weed control;

(c) To maintain and use the cultivated lands in the Bruneau Valley in accordance with good farming practices, preventing erosion, and rotating and fertilizing the lands as required;

(d) To release the Company from any and all claims or liability for any damage to buildings, fences, canals, dikes or other structures, constructed on the lands which it is permitted to use, occurring as a result of flooding, wave action, seepage, or sub-irrigating, or otherwise as a result of the existence, operation or use of the reservoir.

3. The Service Agrees:

(a) That it will co-operate with the Department in the control and use of the backwater lands, in order that the area shall be developed to the maximum advantage for hunting, fishing, and recreation.

4. The Service and the Department Agree:

(a) That any permissions granted in connection with this agreement and the use of said lands, shall be subject to all the conditions and terms of the License for the Project, and they specifically reserve to the licensee, its successors or assigns, the right to use said lands and waters at all times and for any and all purposes as may be by the Company deemed necessary or desirable for the Company's full use and operation of the Project.

5. The Company, the Service, and the Department Agree:

(a) The Company shall have, and it hereby reserves, the right to grant permits to cross lands of the Company bordering on or adjacent to said reservoir for limited ways or approaches for stock watering purposes, subject to approval of the Department as to number, location and size, and for canals or pipelines for irrigation use, and to install pumping plants and to pump and convey water from the reservoir for said purposes.

The Commission finds:

The requirements and regulations in the interest of fish and wildlife as set forth in the aforementioned agreement are reasonable and should be approved and adopted as the Commission's own determination in the matter as hereinafter provided.

21371

Project No. 2055
(Cont'd)

- 4 -

The Commission orders:

The aforementioned requirements and regulations of the agreement signed by Idaho Power Company, the U. S. Fish and Wildlife Service, and the Idaho Fish and Game Department, in the interest of fish and wildlife insofar as the operation and maintenance of Project No. 2055 might affect such interest, are hereby approved and adopted as the Commission's own determination in the matter, and the licensee shall operate and maintain the project in accordance with the provisions of the agreement until otherwise ordered by the Commission.

By the Commission.

Leon M. Fuquay,
Secretary.

Adopted: November 18, 1953

Issued: November 20, 1953

21877

April 14, 1953

RE: Permit No. 21671

Idaho Power Company
1220 Idaho Street
Boise, Idaho

ATT: Mr. A. C. Inman

Dear Mr. Inman:

We enclose herewith Certificate of Completion of Works and License and Certificate of Water Right, confirming your right to the use of 15,420 second feet of water from Snake River, for development of electric power and energy, with priority of June 21, 1950; point of diversion and place of use being in Lots 4 and 10, Section 34, Township 5 South, Range 4 East, B.M.

We also enclose departmental receipt No. 25763 for \$4,633.00 fees paid in connection with proof of completion of works and license.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21671



IDAHO POWER COMPANY

BOISE, IDAHO

April 6, 1953

RECEIVED
APR 8 1953
Department of Reclamation

State Reclamation Engineer
State Capitol Building
Boise, Idaho

Dear Sir:

Re: Permit No 21671

In accordance with your letter of April 1, 1953, I am enclosing herewith Idaho Power Company check in the amount of \$4,633, to cover statutory fees for issuance of Certificate of Completion of Works and License in connection with the above-numbered permit for the hydroelectric power right at our C J Strike project.

Very truly yours,

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

A C Inman
Secretary

ACI:mb
Encl

21671

✓
April 1, 1953

RE: Permit No. 21671

Idaho Power Company
1220 Idaho Street
Boise, Idaho

ATT: 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 on Permit No. 21671 for the C. J. Strike Dam.

We can therefore issue Certificate of Completion of Works and License for 15,420 second feet of water from Snake River, upon receipt of the statutory fees. These amount to \$4,628.00 for completion of works and \$5.00 license fee, or a total of \$4,633.00. The fee on completion of works is at the rate of \$5.00 for the first 10 second feet and 30 cents for each additional second foot.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21671

Mountain Home News

Commercial Printing ♦ Stationery

ELMORE COUNTY'S OFFICIAL NEWSPAPER
MOUNTAIN HOME, IDAHO

ROBERT M. COOLEY, EDITOR

RECEIVED
NOV 15 1952

Department of Reclamation

Nov. 11, 1952
Mountain Home, Idaho

State of Idaho
Department of Reclamation
Boise, Idaho

Dear Sir;

Received notice to publish Notice of Proof of Completion of Works and Application of Water to Beneficial Use, Re Permit No. 21671. Said notice to be published four times prior to December 9, 1952.

"e will mail copy of paper in which notice appears this weekend.

Yours truly,

Mountain Home News

per Mr. R. Cooley

21671

November 3, 1952

RE: Permit No. 21671

Idaho Power Company
1220 Idaho Street
Boise, Idaho

ATT: Mr. James E. Bruce

Dear Mr. Bruce:

We have sent to the Owyhee Chronicle of Homedale, Idaho, and to the Mountain Home Republican, copy of notice of completion of works and beneficial use proof to be made under Permit No. 21671 on December 9, 1952, with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the affidavit of publication together with statement of costs.

We think you have the necessary forms for making these proofs, but to be sure we are sending you, under separate cover, 3 sets of the forms, each consisting of one for the permit holder and one for each of two witnesses. As you know, these forms are to be filled out before the Notary Public named, on the date set, and transmitted to this department together with the affidavits of publication from the two newspapers.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg

21671

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21671

Date: November 3, 1952

Owyhee Chronicle

Homedale, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **December 9, 1952**, 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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By Chf. CLK.

21671

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on Tuesday, December 9, 1952, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before Erma L. Dvorak, Notary Public, proof will be submitted of the completion of works for the diversion of 16,000 cubic feet per second of the waters of the Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21671 heretofore issued by the Department of Reclamation of the State of Idaho.

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

2. 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is in excess of 16,000 cubic feet per second.

3. The use to which said water has been applied is for generation of electric power, and the amount applied to beneficial use is in excess of 16,000 cubic feet per second.

4. The place where said water is used is on Lots 4 and 10 of Section 34, Township 5 South, Range 4 East, Boise Meridian, approximately 2572 feet northeasterly from the southwest corner of Section 34, said Township and Range, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 21, 1950 under Permit No. 21671.

MARK R. KULP
State Reclamation Engineer.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 21671

Date: November 3, 1952

Mountain Home Republican

Mountain Home, Idaho
Gentlemen:

Enclosed you will find notice for publication once
a week for four consecutive weeks prior to **December 9, 1952**,
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.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By
Chief Clerk

21671

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M., on Tuesday, December 9, 1952, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before Erma L. Dvorak, Notary Public, proof will be submitted of the completion of works for the diversion of 16,000 cubic feet per second of the waters of the Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21671 heretofore issued by the Department of Reclamation of the State of Idaho.

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

2. 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is in excess of 16,000 cubic feet per second.

3. The use to which said water has been applied is for generation of electric power, and the amount applied to beneficial use is in excess of 16,000 cubic feet per second.

4. The place where said water is used is on Lots 4 and 10 of Section 34, Township 5 South, Range 4 East, Boise Meridian, approximately 2572 feet northeasterly from the southwest corner of Section 34, said Township and Range, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 21, 1950 under Permit No. 21671.

DAVID B. JULES.

State Reclamation Engineer.

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

RECEIVED
OCT 10 1952
Department of Reclamation

(Date) October 7, 1952

(P.O.) 1220 Idaho Street - Boise, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at our expense in the "Mountain Home Republican" of Mountain Home, Elmore County, Idaho, and in the "Owyhee Chronicle" of Homedale, Owyhee County, Idaho, which papers are published in the counties in which the works are situated.

IDAHO POWER COMPANY

By

James E. Bruce
and - 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.

Engineer.

21471

21671

July 28, 1952

Professor Max C. Jensen
Associate Professor and Irrigationist
Department of Agricultural Engineering
University of Idaho
Moscow, Idaho

Dear Max:

The Idaho Power Company permit on the Snake and Bruneau at the Strike Development will call for all the water during a large part of the irrigation season. The right to appropriate for upstream irrigation use is reserved in the permit, but the company is reluctant to allow both the water it could claim under its right and the head created by the dam to be used by subsequent appropriators. They have no objection to appropriators above the back waters of the pool.

Rights established since the Strike permit was approved will be technically junior to the power company right.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

21671

UNIVERSITY OF IDAHO
DEPARTMENT OF AGRICULTURAL ENGINEERING

MOSCOW, IDAHO

July 21, 1952

RECEIVED
JUL 25 1952
Department of Reclamation

Mr. Mark R. Kulp
State Reclamation Engineer
State House
Boise, Idaho

Dear Mark:

Will you please advise me whether or not water would be available immediately above the C. J. Strike Dam for establishing right for irrigation development.

Very truly yours,



Max C. Jensen
Associate Professor
and Irrigationist

MCJ:jo

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June 19, 1952

Mr. James E. Bruce, Jr.
C/o Idaho Power Company
1220 Idaho Street
Boise, Idaho

Dear Mr. Bruce:

Reference is made to your letter of June 18, 1952, requesting forms to be used in making proof of beneficial use on the C. J. Strike Dam.

We enclose the necessary forms of notice herewith (Form 10) but if both proofs are to be made at the same time, the notice should be made on Form 36, also enclosed.

The notice should set the time and place and name the Notary Public before whom proof is to be made and both copies returned to this department together with Form 11 which is authorization for us to have the notice published at permit holder's expense in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.



IDAHO POWER COMPANY

BOISE, IDAHO

June 18, 1952

RECEIVED
JUN 19 1952

Department of Reclamation

Mark R Kulp
State Reclamation Engineer
State Capitol Building
Boise, Idaho

Dear Mr Kulp:

On May 12, 1952, we received the necessary forms to be used in making proof of Completion of Works at the Strike Dam.

I would appreciate it if you could also forward to us at this time forms to be used in making Proof of Application of Water to Beneficial Use on the aforesaid C J Strike Dam and Project.

Very truly yours,

James E. Bruce Jr.

James E Bruce, Jr
Attorney

JEB:mnw

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May 12, 1952

Mr. A. C. Inman
C/o Idaho Power Company
1820 Idaho Street
Boise, Idaho

Dear Mr. Inman:

In accordance with your telephone request, we enclose the necessary forms to be used in making proof of completion of works on the Strike Dam.

Form 8 should be returned to this department in duplicate together with Form 11, and we enclose two sets of the forms necessary for making proof, each set consisting of one for the holder and one for each of two witnesses.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

21671

21671
March 30, 1951

Mr. Leon M. Fuquay, Secretary
Federal Power Commission
Washington 25, D. C.

RE: Project No. 2055
Idaho Power Company

Dear Mr. Fuquay:

We thank you for your letter of March 20, 1951, enclosing copy of Order and License issued to the Idaho Power Company for Project No. 2055 located on the Snake River.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

21671

FEDERAL POWER COMMISSION
WASHINGTON 25

Project No. 2055
Idaho Power Company

MAR 20 1951

Department of Reclamation
State of Idaho
State House
Boise, Idaho

RECEIVED
MAR 24 1951
Department of Reclamation

Gentlemen:

Enclosed for your information is a copy of the Commission's Order and license issued to Idaho Power Company for Project No. 2055 located on the Snake River, Idaho.

Very truly yours,

Leon M. Fuquay
Secretary

Enclosure No. 72082
Copy of license

21671

~~License~~ effective December 1, 1950

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

Before Thomas C. Buchanan, Acting Chairman; Claude L. Draper,
Commissioners: Nelson Lee Smith and Harrington Wimberly.

February 6, 1951

In the Matter of)
Idaho Power Company) Project No. 2055

ORDER DISMISSING APPLICATION FOR PRELIMINARY PERMIT AND
ISSUING LICENSE (MAJOR)

Application was filed August 23, 1950 by Idaho Power Company of Boise, Idaho, for license under the Federal Power Act for the proposed C. J. Strike hydroelectric development, designated as Project No. 2055, on the Snake River in Elmore, Owyhee, Ada, and Canyon Counties, Idaho, and affecting public lands of the United States.

Inasmuch as the above-mentioned application for license supersedes an application filed by the same applicant on July 21, 1950 for preliminary permit for the same proposed project, the latter application should be dismissed as hereinafter provided.

By letters dated November 8, 1950 and January 12, 1951, the Commission advised the applicant that prelicense construction of the project, at its own risk, would not prejudice consideration by the Commission of the pending application for license.

The proposed project would consist of:

- (a) All lands constituting the project area and enclosed by the project boundary or the limits of which are otherwise defined and/or interest in such lands necessary or appropriate for the purpose of the project, whether such lands or interest therein are owned or held by the applicant or by the United States; the location of such project area and project boundary, except for the lands affected by the project transmission lines, being more specifically shown and described by certain exhibits which formed part of the application for license and which are designated and described as follows:

Exhibit "J": (FPC No. 2055-2) entitled "General Map";

Exhibit "K": Sheets 1 to 5 inclusive (FPC Nos. 2055-3 to 7 inclusive) entitled "Detail Map" showing reservoir area.

The above exhibits were signed Idaho Power Company by A. C. Inman, Vice President, on August 16, 1950.

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- (b) Principal structures, comprising an earth dam about 120 feet in maximum height, with reinforced concrete gated spillway section located at the Hopkins Ferry site about 1 mile downstream from the mouth of Bruneau River, creating a reservoir extending upstream about 32 miles and having an area of approximately 7,500 acres at elevation 2,455 feet at the dam; an intake structure; three steel penstocks, each about 300 feet in length; a reinforced concrete powerhouse containing three 38,000-horsepower turbines connected to three 27,500-kilowatt generators; transformers and switching structures; two 138-kilovolt transmission lines, one extending approximately 65 miles northwesterly to Caldwell, Idaho, and the other extending 25 miles northeasterly to Mountain Home, Idaho; and appurtenant facilities; the location, nature, and character of which except for the transmission lines, are more specifically shown and described by the exhibits hereinbefore cited and by certain other exhibits which also formed part of the application for license and which are designated and described as follows:

Exhibit "L": Plans in five sheets comprising:

Sheet 1 (FPC No. 2055-8) entitled
"General Plan";

Sheet 2A (FPC No. 2055-13) entitled
"Sections Through Power House & Dam";

Sheet 2 (FPC No. 2055-12) entitled
"Spillway Section & Downstream Elevation";

Sheet 3 (FPC No. 2055-10) entitled
"Power House Plans & Sections";

Sheet 4 (FPC No. 2055-11) entitled
"One Line Wiring Diagram".

Exhibit "M": A statement in one sheet entitled
"General Description and Specifications of Equipment".

The above exhibits were signed Idaho Power Company
by A. C. Inman, Vice President, on August 16, 1950.

- (c) All other structures, fixtures, equipment or facilities used or useful in the construction, operation and maintenance of the project and located on the project area, including such portable property as may be used or useful in connection with the project or any part thereof, whether located on or

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off the project area, if and to the extent that the inclusion of such property as a part of the project is approved or acquiesced in by the Commission; also, all riparian or other rights, the use or possession of which is necessary or appropriate in the maintenance and operation of the project.

The Chief of Engineers, Department of the Army, the Secretary of the Interior, and the Department of Fish and Game of the State of Idaho, have reported favorably on the application as hereinafter provided.

In letter dated January 3, 1951, the Acting Administrator, Defense Power Administration, advised the Commission of his finding that the proposed C. J. Strike development is in the interest of the national defense program and recommended expeditious consideration by the Commission of the application for license.

The Commission, having considered the entire record in this proceeding, including the reports of Federal and State agencies and informal protests from interested local individuals, finds:

- (1) Dismissal of the above-mentioned application for preliminary permit for the proposed project is appropriate and desirable as hereinafter provided.
- (2) The applicant is a corporation organized under the laws of the State of Maine and is qualified to and is doing business in and under the States of Idaho, Oregon, and Nevada.
- (3) The applicant has submitted satisfactory evidence of its ability to finance construction of the project.
- (4) No conflicting application is before the Commission. Public notice has been given as required by the Act.
- (5) The project does not affect any Government dam, nor will the issuance of a license therefor as hereinafter provided affect the development of any water resources for public purposes which presently should be undertaken by the United States.
- (6) The issuance of a license for the project as hereinafter provided will not interfere or be inconsistent with the purposes of any reservation or withdrawal of public lands of the United States.
- (7) Under present circumstances and conditions and upon the terms and conditions hereinafter imposed, the project is best adapted to a comprehensive plan for the improvement and utilization of water-power development, and for other beneficial public uses, including recreational purposes.

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- (8) The installed horsepower capacity of the project hereinafter authorized is 114,000 horsepower, and the energy generated thereby will be used for public utility purposes.
- (9) The two proposed 138-kv transmission lines extending from the hydroelectric plant, one connecting to the Caldwell substation and the other to a point on the transmission network at Mountain Home, Idaho, as well as the substation containing three banks of 13,2/132-kv step-up transformers at the project plant, are parts of the project as the term is defined in Section 3 (11) of the Act, and should be included in the license for the project.
- (10) In accordance with Section 10 (d) of the Act, the rate of return upon the net investment in the project, and the proportion of surplus earnings to be paid into and held in amortization reserves, are reasonable as hereinafter specified.
- (11) The amount of annual charges to be paid under the license for the purpose of reimbursing the United States for the costs of administration of Part I of the Act, and for recompensing it for the use, occupancy, and enjoyment of its lands, exclusive of those to be occupied by transmission line rights-of-way, is reasonable as hereinafter fixed and specified.
- (12) The above-described and designated exhibits conform to the Commission's rules and regulations and should be approved as part of the license for the project.
- (13) Exhibits F, J, K, L, and M, relating to the project transmission lines, in conformity with the Commission's rules and regulations, should be filed by the applicant as hereinafter provided.

The Commission orders:

- (A) The aforesaid application for preliminary permit for proposed Project No. 2055 is hereby dismissed.
- (B) This license issued to Idaho Power Company for a period of 50 years, effective as of December 1, 1950, for the construction, operation and maintenance of Project No. 2055, subject to the terms and conditions of the Federal Power Act (hereinafter referred to as the Act), which is hereby incorporated by reference as a part of this license, and subject to such rules and regulations as the Commission has issued or prescribed under the provisions of the Act.

(C) This license be subject also to the terms and conditions set forth in Form L-6, entitled "Terms and Conditions of License for Unconstructed Major Project Affecting Navigable Waters and Lands of the United States", which terms and conditions, except for Article 9 thereof, are incorporated herein by reference and made a part hereof; and subject to the following special conditions:

- (1) The Licensee shall commence construction of the project works on or before January 1, 1951; shall thereafter with due diligence prosecute such construction, and shall complete the project and place it in operation on or before June 1, 1952.
- (2) The Licensee shall prior to flooding clear all lands in the bottom and margin of the reservoir up to high-water level, and shall dispose of all temporary structures, unused timber, brush, refuse, or inflammable material resulting from the clearing of the lands or from the construction and maintenance of the project works. In addition, all trees along the margin of the reservoir which may die during operation of the project shall be removed. The clearing of the lands and the disposal of the material shall be done with due diligence and to the satisfaction of the authorized representative of the Commission.
- (3) The Licensee shall file with the Commission Exhibits, F, J, K, L and M in accordance with the Commission's rules and regulations, for the transmission lines included in this license, within 90 days of completion of the lines.
- (4) The Licensee shall pay to the United States the following annual charges:
 - (i) For the purpose of reimbursing the United States for the costs of administration of Part I of the Act, one (1) cent per horsepower on the authorized installed capacity (114,000 horsepower), plus two and one-half ($2\frac{1}{2}$) cents per 1,000 kilowatt-hours of gross energy generated by the project during the calendar year for which the charge is made;
 - (ii) For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands (exclusive of those used for transmission line rights-of-way), \$4,843.70; and

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- (iii) For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands used for transmission line purposes only, an amount to be hereafter determined by the Commission.
- (5) The Commission reserves the right to determine at a future date after further investigation reasonable requirements and regulations in the interest of fish and wildlife.
- (6) The Licensee agrees that should the project works be damaged or the power output of the project be reduced by subsequent upstream diversion of the waters of the Snake River by the United States in connection with its irrigation and conservation program, then the United States shall have the option, in full settlement of any and all claims by the Licensee, of paying such damages as the Licensee shall then be entitled to receive as a matter of law, or of acquiring the Licensee's Project in the manner provided by the Act.
- (D) The exhibits referred to in paragraphs (a) and (b) above are approved as part of the license.
- (E) This order shall become final 30 days from the date of its issuance unless application for rehearing shall be filed within the 30-day period provided by Section 313 (a) of the Act.
- (F) The license shall be accepted and returned to the Commission within 60 days from date of issuance of this order.

By the Commission.

Leon M. Fuquay,
Secretary.

Date of Issuance: February 7, 1951

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IN TESTIMONY OF ACCEPTANCE of all the provisions, terms and conditions of the license, Idaho Power Company, this 10th day of February, 1951, has caused its corporate name to be signed hereto by A. C. Inman, its Vice President, and its corporate seal to be affixed hereto and attested by E. A. Anderson, its Assistant Secretary, pursuant to a resolution of its Board of Directors duly adopted on the 15th day of July, 1950, ~~1951~~, a certified copy of the record of which is attached hereto.

IDAHO POWER COMPANY

By A. C. Inman
Vice President

Attest:

E. A. Anderson
Asst. Secretary

(Executed in quadruplicate)

6471

FEDERAL POWER COMMISSION

TERMS AND CONDITIONS OF LICENSE
FOR UNCONSTRUCTED MAJOR PROJECT AFFECTING
NAVIGABLE WATERS AND LANDS OF THE UNITED STATES

Article 1. The entire project, as described in the order of the Commission, shall be subject to all the provisions, terms, and conditions of the license.

Article 2. No substantial change shall be made in the maps, plans, specifications, and statements described and designated as exhibits and approved by the Commission in its order as a part of the license until such change shall have been approved by the Commission: Provided, however, that if the Licensee or the Commission deems it necessary or desirable that said approved exhibits, or any of them, be changed, there shall be submitted to the Commission for approval amended, supplemental, or additional exhibit or exhibits covering the proposed changes which, upon approval by the Commission, shall become a part of the license and shall supersede, in whole or in part, such exhibit or exhibits theretofore made a part of the license as may be specified by the Commission.

Article 3. Said project works shall be constructed in substantial conformity with the approved exhibits referred to in Article 2 herein or as changed in accordance with the provisions of said article. Except when emergency shall require for the protection of navigation, life, health, or property, no substantial alteration or addition not in conformity with the approved plans shall be made to any dam or other project works under the

license without the prior approval of the Commission; and any emergency alteration or addition so made shall thereafter be subject to such modification and change as the Commission may direct. Minor changes in the project works or divergence from such approved exhibits may be made if such changes will not result in decrease in efficiency, in material increase in cost, or in impairment of the general scheme of development; but any of such minor changes made without the prior approval of the Commission, which in its judgment have produced or will produce any of such results, shall be subject to such alteration as the Commission may direct. The Licensee shall comply with such rules and regulations of general or special applicability as the Commission may from time to time prescribe for the protection of life, health, or property.

Article 4. The construction, operation, and maintenance of the project and any work incident to additions or alterations, whether or not conducted upon lands of the United States, shall be subject to the inspection and supervision of the Regional Engineer, Federal Power Commission, in the region wherein the project is located, or of such other officer or agent as the Commission may designate, who shall be the authorized representative of the Commission for such purposes. The Licensee shall furnish to said representative such information as he may require concerning the construction, operation, and maintenance of the project, and of any alteration thereof, and shall notify him of the date upon which work will begin, and as far in advance thereof as said representative may reasonably specify, and shall notify him promptly in writing of any suspension of work for a period of more than one week, and of its

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resumption and completion. The Licensee shall allow him and other officers or employees of the United States, showing proper credentials, free and unrestricted access to, through, and across the project lands and project works in the performance of their official duties.

Article 5. Upon the completion of the project, or at such other time as the Commission may direct, the Licensee shall submit to the Commission for approval revised maps, plans, specifications, and statements insofar as necessary to show any divergence from or variations in the project area and project boundary as finally located or in the project works as actually constructed when compared with the area and boundary shown and the works described in the license or in the maps, plans, specifications, and statements approved by the Commission, together with a statement in writing setting forth the reasons which in the opinion of the Licensee necessitated or justified variations in or divergence from the approved maps, plans, specifications, and statements. Such revised maps, plans, specifications, and statements shall, if and when approved by the Commission, be made a part of the license under the provisions of Article 2 hereof.

Article 6. For the purpose of determining the stage and flow of the stream or streams from which water is to be diverted for the operation of the project works, the amount of water held in and withdrawn from storage, and the effective head on the turbines, the Licensee shall install and thereafter maintain such gages and stream-gaging stations as the Commission may deem necessary and best adapted to the requirements; and shall provide for the required readings of such gages and for the adequate

rating of such stations. The Licensee shall also install and maintain standard meters adequate for the determination of the amount of electric energy generated by said project works. The number, character, and location of gages, meters, or other measuring devices, and the method of operation thereof, shall at all times be satisfactory to the Commission and may be altered from time to time if necessary to secure adequate determinations, but such alteration shall not be made except with the approval of the Commission or upon the specific direction of the Commission. The installation of gages, the ratings of said stream or streams, and the determination of the flow thereof, shall be under the supervision of, or in cooperation with, the District Engineer of the United States Geological Survey having charge of stream-gaging operations in the region of said project, and the Licensee shall advance to the United States Geological Survey the amount of funds estimated to be necessary for such supervision or cooperation for such periods as may be mutually agreed upon. The Licensee shall keep accurate and sufficient record of the foregoing determinations to the satisfaction of the Commission, and shall make return of such records annually at such time and in such form as the Commission may prescribe.

Article 7. So far as is consistent with proper operation of the project, the Licensee shall allow the public free access, to a reasonable extent, to project waters and adjacent lands owned by the Licensee for the purpose of full public utilization of such lands and waters for navigation and recreational purposes, including fishing and hunting, and shall allow for such purposes the construction of access roads, wharves, landings, and

other facilities on its lands the occupancy of which may, in appropriate circumstances, be subject to payment of rent to the Licensee in a reasonable amount: Provided, that the Licensee may reserve from public access, such portions of the project waters, adjacent lands, and project facilities as may be necessary for the protection of life, health, and property and Provided further, that the Licensee's consent to the construction of access roads, wharves, landings, and other facilities shall not, without its express agreement, place upon the Licensee any obligation to construct or maintain such facilities.

Article 8. In the construction and maintenance of the project, the location and standards of roads and trails, and other land uses, including the location and condition of quarries, borrow pits, spoil disposal areas, and sanitary facilities, shall be subject to the approval of the department or agency of the United States having supervision over the lands involved.

Article 9. Insofar as any material is dredged or excavated in the prosecution of any work authorized under the license, or in the maintenance of the project, such material shall be removed and deposited so it will not interfere with navigation, and will be to the satisfaction of the District Engineer, Department of the Army, in charge of the locality.

Article 10. In the construction and maintenance of the project works, the Licensee shall place and maintain suitable structures and devices to reduce to a reasonable degree the liability of contact between its transmission lines, and telegraph, telephone, and other signal wires or power transmission lines constructed prior to its transmission lines and not

owned by the Licensee, and shall also place and maintain suitable structures and devices to reduce to a reasonable degree the liability of any structures or wires falling and obstructing traffic and endangering life on highways, streets, or railroads.

Article 11. The Licensee shall make provision, or shall bear the reasonable cost, as determined by the agency of the United States affected, of making provision for avoiding inductive interference between any project transmission line or other project facility constructed, operated, or maintained under the license, and any radio installation, telephone line, or other communication facility installed or constructed before or after construction of such project transmission line or other project facility and owned, operated, or used by such agency of the United States in administering the lands under its jurisdiction. None of the provisions of this article is intended to relieve the Licensee from any responsibility or requirement which may be imposed by other lawful authority for avoiding or eliminating inductive interference.

Article 12. The Licensee shall clear such portions of transmission line rights-of-way across lands of the United States as are designated by the officer of the United States in charge of the lands; shall keep the areas so designated clear of new growth, all refuse, and inflammable material to the satisfaction of such officer; shall trim all branches of trees in contact with or liable to contact the transmission line; shall cut and remove all dead or leaning trees which might fall in contact with the transmission line; and shall take such other precautions against fire as may be required by such officer. No fires for the burning of waste

material shall be set except with the prior written consent of the officer of the United States in charge of the lands as to time and place.

Article 13. Timber on lands of the United States cut, used, or destroyed in the construction and maintenance of the project works or in the clearing of said lands shall be paid for in accordance with the requirements of and at the current stumpage rates applicable to the sale of similar timber by the agency of the United States having jurisdiction over said lands; and all slash and debris resulting from the cutting or destruction of such timber shall be disposed of as the officer of such agency may direct.

Article 14. The Licensee shall do everything reasonably within its power and shall require its employees, contractors, and employees of contractors to do everything reasonably within their power, both independently and upon request of officers of the agency of the United States concerned, to prevent, make advanced preparations for suppression, and suppress fires on or near lands occupied under the license.

Article 15. Whenever the United States shall desire to construct, complete, or improve navigation facilities in connection with the project, the Licensee shall convey to the United States, free of cost, such of its lands and its rights-of-way and such right of passage through its dams or other structures, and permit such control of pools as may be required to complete and maintain such navigation facilities.

Article 16. The Licensee shall furnish free of cost to the United States power for the operation and maintenance of navigation facilities at the voltage and frequency required by such facilities and at a point

adjacent thereto, whether said facilities are constructed by the Licensee or by the United States.

Article 17. The operation of any navigation facilities, which may be constructed as a part of or in connection with any dam or diversion structure constituting a part of the project works, shall at all times be controlled by such reasonable rules and regulations in the interest of navigation, including the control of the level of the pool caused by such dam or diversion structure, as may be made from time to time by the Secretary of the Army. Such rules and regulations may include the construction, maintenance, and operation by the Licensee, at its own expense, of such lights and signals as may be directed by the Secretary of the Army.

Article 18. The United States specifically retains and safeguards the right to use water in such amount, to be determined by the Secretary of the Army, as may be necessary for the purposes of navigation on the navigable waterway affected; and the operations of the Licensee, so far as they affect the use, storage and discharge from storage of waters affected by the license, shall at all times be controlled by such reasonable rules and regulations as the Secretary of the Army may prescribe in the interest of navigation, and as the Commission may prescribe for the protection of life, health, and property, and in the interest of the fullest practicable conservation and utilization of such waters for power purposes and for other beneficial public uses, including recreational purposes; and the Licensee shall release water from the project reservoir at such rate in cubic feet per second, or such volume in acre-feet per specified period of time, as the Secretary of the Army may prescribe in the interest of

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navigation, or as the Commission may prescribe for the other purposes hereinbefore mentioned.

Article 19. The Licensee shall interpose no objection to, and shall in no way prevent, the use by the agency of the United States having jurisdiction over the lands of the United States affected, or by persons or corporations occupying lands of the United States under permit, of water for fire suppression from any stream, conduit or body of water, natural or artificial, used by the Licensee in the operation of the project works covered by the license, or to the use by said parties of water for sanitary and domestic purposes from any stream or body of water, natural or artificial, used by the Licensee in the operation of the project works covered by the license.

Article 20. The Licensee shall be liable for injury to, or destruction of, any buildings, bridges, roads, trails, lands, or other property of the United States, occasioned by the construction, maintenance, or operation of the project works or of the works appurtenant or accessory thereto under the license. Arrangements to meet such liability, either by compensation for such injury or destruction, or by reconstruction or repair of damaged property, or otherwise, shall be made with the appropriate department or agency of the United States.

Article 21. The Licensee shall allow any agency of the United States, without charge, to construct or permit to be constructed on, through, and across the project lands, conduits, chutes, ditches, railroads, roads, trails, telephone lines, and other means of transportation and communication not inconsistent with the enjoyment of said lands by the Licensee for

the purposes stated in the license. This article shall not be construed as conferring upon the Licensee any right of use, occupancy, or enjoyment of the lands of the United States other than for the construction, operation, and maintenance of the project as stated in the license.

Article 22. There is reserved to the appropriate department or agency of the United States, or of the State or county involved, the right to take over, maintain, and supervise the use of any project road after construction of the project works is completed.

Article 23. The actual legitimate original cost of the original project, and of any addition thereto or betterment thereof, shall be determined by the Commission in accordance with the Act and the Commission's rules and regulations thereunder.

Article 24. After the first twenty (20) years of operation of the project under the license, six (6) percent per annum shall be the specified rate of return on the net investment in the project for determining surplus earnings of the project for the establishment and maintenance of amortization reserves, pursuant to Section 10 (d) of the Act; one-half of the project surplus earnings, if any, accumulated after the first twenty years of operation under the license, in excess of six (6) percent per annum on the net investment, shall be set aside in a project amortization reserve account as of the end of each fiscal year, provided that, if and to the extent that there is a deficiency of project earnings below six (6) percent per annum for any fiscal year or years after the first twenty years of operation under the license, the amount of such deficiency shall be deducted from the amount of any surplus earnings accumulated thereafter until absorbed, and

57671

one-half of the remaining surplus earnings, if any, thus cumulatively computed, shall be set aside in the project amortization reserve account; and the amounts thus established in the project amortization reserve account shall be maintained therein until further order of the Commission.

Article 25. No lease of the project or part thereof whereby the lessee is granted the exclusive occupancy, possession, or use of project works for purposes of generating, transmitting, or distributing power shall be made without the prior written approval of the Commission; and the Commission may, if in its judgment the situation warrants, require that all the conditions of the license, of the Act, and of the rules and regulations of the Commission shall be applicable to such lease and to such property so leased to the same extent as if the lessee were the Licensee: Provided, that the provisions of this article shall not apply to parts of the project or project works which may be used by another jointly with the Licensee under a contract or agreement whereby the Licensee retains the occupancy, possession, and control of the property so used and receives adequate consideration for such joint use, or to leases of land while not required for purposes of generating, transmitting, or distributing power, or to buildings or other property not built or used for said purposes, or to minor parts of the project or project works, the leasing of which will not interfere with the usefulness or efficient operation of the project by the Licensee for such purposes.

Article 26. The Licensee, its successors and assigns will, during the period of the license, retain the possession of all project property covered by the license as issued or as later amended, including the project area,

21671

the project works, and all franchises, easements, water rights, and rights of occupancy and use; and that none of such properties necessary or useful to the project and to the development, transmission, and distribution of power therefrom will be voluntarily sold, transferred, abandoned, or otherwise disposed of without the approval of the Commission: Provided, that a mortgage or trust deed or judicial sales made thereunder, or tax sales, shall not be deemed voluntary transfers within the meaning of this article. In the event the project is taken over by the United States upon the termination of the license, as provided in Section 14 of the Act, or is transferred to a new licensee under the provisions of Section 15 of the Act, the Licensee, its successors and assigns will be responsible for and will make good any defect of title to or of right of user in any of such project property which is necessary or appropriate or valuable and serviceable in the maintenance and operation of the project, and will pay and discharge, or will assume responsibility for payment and discharge, of all liens or incumbrances upon the project or project property created by the Licensee or created or incurred after the issuance of the license: Provided, that the provisions of this article are not intended to prevent the abandonment or the retirement from service of structures, equipment, or other project works in connection with replacements thereof when they become obsolete, inadequate, or inefficient for further service due to wear and tear, or to require the Licensee, for the purpose of transferring the project to the United States or to a new licensee, to acquire any different title to or right of user in any of such project property than was necessary to acquire for its own purposes as Licensee.

21671

Article 27. The terms and conditions expressly set forth in the license shall not be construed as impairing any terms and conditions of the Federal Power Act which are not expressly set forth herein.

21671

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

Before Thomas C. Buchanan, Acting Chairman; Claude L. Draper,
Commissioners: Nelson Lee Smith and Harrington Wimberly.

February 6, 1951

In the Matter of

Idaho Power Company

Project No. 2055

RECEIVED
FEB 10 1951
Department of Reclamation

ORDER DISMISSING APPLICATION FOR PRELIMINARY PERMIT AND
ISSUING LICENSE (MAJOR)

Application was filed August 23, 1950 by Idaho Power Company of Boise, Idaho, for license under the Federal Power Act for the proposed C. J. Strike hydroelectric development, designated as Project No. 2055, on the Snake River in Elmore, Owyhee, Ada, and Canyon Counties, Idaho, and affecting public lands of the United States.

Inasmuch as the above-mentioned application for license supersedes an application filed by the same applicant on July 21, 1950 for preliminary permit for the same proposed project, the latter application should be dismissed as hereinafter provided.

By letters dated November 8, 1950 and January 12, 1951, the Commission advised the applicant that prelicense construction of the project, at its own risk, would not prejudice consideration by the Commission of the pending application for license.

The proposed project would consist of:

- (a) All lands constituting the project area and enclosed by the project boundary or the limits of which are otherwise defined and/or interest in such lands necessary or appropriate for the purpose of the project, whether such lands or interest therein are owned or held by the applicant or by the United States; the location of such project area and project boundary, except for the lands affected by the project transmission lines, being more specifically shown and described by certain exhibits which formed part of the application for license and which are designated and described as follows:

Exhibit "J": (FPC No. 2055-2) entitled "General Map";

Exhibit "K": Sheets 1 to 5 inclusive (FPC Nos. 2055-3 to 7 inclusive) entitled "Detail Map" showing reservoir area.

The above exhibits were signed Idaho Power Company by A. C. Inman, Vice President, on August 16, 1950.

21671

2/6/51

- (b) Principal structures, comprising an earth dam about 120 feet in maximum height, with reinforced concrete gated spillway section located at the Hopkins Ferry site about 1 mile downstream from the mouth of Bruneau River, creating a reservoir extending upstream about 32 miles and having an area of approximately 7,500 acres at elevation 2,455 feet at the dam; an intake structure; three steel penstocks, each about 300 feet in length; a reinforced concrete powerhouse containing three 38,000-horsepower turbines connected to three 27,500-kilowatt generators; transformers and switching structures; two 138-kilovolt transmission lines, one extending approximately 65 miles northwesterly to Caldwell, Idaho, and the other extending 25 miles northeasterly to Mountain Home, Idaho; and appurtenant facilities; the location, nature, and character of which except for the transmission lines, are more specifically shown and described by the exhibits hereinbefore cited and by certain other exhibits which also formed part of the application for license and which are designated and described as follows:

Exhibit "L": Plans in five sheets comprising:

Sheet 1 (FPC No. 2055-8) entitled
"General Plan";

Sheet 2A (FPC No. 2055-13) entitled
"Sections Through Power House & Dam";

Sheet 2 (FPC No. 2055-12) entitled
"Spillway Section & Downstream Elevation";

Sheet 3 (FPC No. 2055-10) entitled
"Power House Plans & Sections";

Sheet 4 (FPC No. 2055-11) entitled
"One Line Wiring Diagram".

Exhibit "M": A statement in one sheet entitled
"General Description and Specifications of Equipment".

The above exhibits were signed Idaho Power Company
by A. C. Inman, Vice President, on August 16, 1950.

- (c) All other structures, fixtures, equipment or facilities used or useful in the construction, operation and maintenance of the project and located on the project area, including such portable property as may be used or useful in connection with the project or any part thereof, whether located on or

21671

off the project area, if and to the extent that the inclusion of such property as a part of the project is approved or acquiesced in by the Commission; also, all riparian or other rights, the use or possession of which is necessary or appropriate in the maintenance and operation of the project.

The Chief of Engineers, Department of the Army, the Secretary of the Interior, and the Department of Fish and Game of the State of Idaho, have reported favorably on the application as hereinafter provided.

In letter dated January 3, 1951, the Acting Administrator, Defense Power Administration, advised the Commission of his finding that the proposed C. J. Strike development is in the interest of the national defense program and recommended expeditious consideration by the Commission of the application for license.

The Commission, having considered the entire record in this proceeding, including the reports of Federal and State agencies and informal protests from interested local individuals, finds:

- (1) Dismissal of the above-mentioned application for preliminary permit for the proposed project is appropriate and desirable as hereinafter provided.
- (2) The applicant is a corporation organized under the laws of the State of Maine and is qualified to and is doing business in and under the States of Idaho, Oregon, and Nevada.
- (3) The applicant has submitted satisfactory evidence of its ability to finance construction of the project.
- (4) No conflicting application is before the Commission. Public notice has been given as required by the Act.
- (5) The project does not affect any Government dam, nor will the issuance of a license therefor as hereinafter provided affect the development of any water resources for public purposes which presently should be undertaken by the United States.
- (6) The issuance of a license for the project as hereinafter provided will not interfere or be inconsistent with the purposes of any reservation or withdrawal of public lands of the United States.
- (7) Under present circumstances and conditions and upon the terms and conditions hereinafter imposed, the project is best adapted to a comprehensive plan for the improvement and utilization of water-power development, and for other beneficial public uses, including recreational purposes.

2/6/51

- (8) The installed horsepower capacity of the project hereinafter authorized is 114,000 horsepower, and the energy generated thereby will be used for public utility purposes.
- (9) The two proposed 138-kv transmission lines extending from the hydroelectric plant, one connecting to the Caldwell substation and the other to a point on the transmission network at Mountain Home, Idaho, as well as the substation containing three banks of 13.2/132-kv step-up transformers at the project plant, are parts of the project as the term is defined in Section 3 (11) of the Act, and should be included in the license for the project.
- (10) In accordance with Section 10 (d) of the Act, the rate of return upon the net investment in the project, and the proportion of surplus earnings to be paid into and held in amortization reserves, are reasonable as hereinafter specified.
- (11) The amount of annual charges to be paid under the license for the purpose of reimbursing the United States for the costs of administration of Part I of the Act, and for recompensing it for the use, occupancy, and enjoyment of its lands, exclusive of those to be occupied by transmission line rights-of-way, is reasonable as hereinafter fixed and specified.
- (12) The above-described and designated exhibits conform to the Commission's rules and regulations and should be approved as part of the license for the project.
- (13) Exhibits F, J, K, L, and M, relating to the project transmission lines, in conformity with the Commission's rules and regulations, should be filed by the applicant as hereinafter provided.

The Commission orders:

- (A) The aforesaid application for preliminary permit for proposed Project No. 2055 is hereby dismissed.
- (B) This license issued to Idaho Power Company for a period of 50 years, effective as of December 1, 1950, for the construction, operation and maintenance of Project No. 2055, subject to the terms and conditions of the Federal Power Act (hereinafter referred to as the Act), which is hereby incorporated by reference as a part of this license, and subject to such rules and regulations as the Commission has issued or prescribed under the provisions of the Act.

21671

- (C) This license be subject also to the terms and conditions set forth in Form L-6, entitled "Terms and Conditions of License for Unconstructed Major Project Affecting Navigable Waters and Lands of the United States", which terms and conditions, except for Article 9 thereof, are incorporated herein by reference and made a part hereof; and subject to the following special conditions:
- (1) The Licensee shall commence construction of the project works on or before January 1, 1951; shall thereafter with due diligence prosecute such construction, and shall complete the project and place it in operation on or before June 1, 1952.
 - (2) The Licensee shall prior to flooding clear all lands in the bottom and margin of the reservoir up to high-water level, and shall dispose of all temporary structures, unused timber, brush, refuse, or inflammable material resulting from the clearing of the lands or from the construction and maintenance of the project works. In addition, all trees along the margin of the reservoir which may die during operation of the project shall be removed. The clearing of the lands and the disposal of the material shall be done with due diligence and to the satisfaction of the authorized representative of the Commission.
 - (3) The Licensee shall file with the Commission Exhibits, F, J, K, L and M in accordance with the Commission's rules and regulations, for the transmission lines included in this license, within 90 days of completion of the lines.
 - (4) The Licensee shall pay to the United States the following annual charges:
 - (i) For the purpose of reimbursing the United States for the costs of administration of Part I of the Act, one (1) cent per horsepower on the authorized installed capacity (114,000 horsepower), plus two and one-half ($2\frac{1}{2}$) cents per 1,000 kilowatt-hours of gross energy generated by the project during the calendar year for which the charge is made;
 - (ii) For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands (exclusive of those used for transmission line rights-of-way), \$4,843.70; and

2/6/51

- (iii) For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands used for transmission line purposes only, an amount to be hereafter determined by the Commission.
- (5) The Commission reserves the right to determine at a future date after further investigation reasonable requirements and regulations in the interest of fish and wildlife.
- (6) The Licensee agrees that should the project works be damaged or the power output of the project be reduced by subsequent upstream diversion of the waters of the Snake River by the United States in connection with its irrigation and conservation program, then the United States shall have the option, in full settlement of any and all claims by the Licensee, of paying such damages as the Licensee shall then be entitled to receive as a matter of law, or of acquiring the Licensee's Project in the manner provided by the Act.
- (D) The exhibits referred to in paragraphs (a) and (b) above are approved as part of the license.
- (E) This order shall become final 30 days from the date of its issuance unless application for rehearing shall be filed within the 30-day period provided by Section 313 (a) of the Act.
- (F) The license shall be accepted and returned to the Commission within 60 days from date of issuance of this order.

By the Commission.

Leon M. Fuquay,
Secretary.

Date of Issuance: February 7, 1951

21671

2/6/51

IN TESTIMONY OF ACCEPTANCE of all the provisions, terms and conditions of the license, Idaho Power Company, this _____ day of _____, 1951, has caused its corporate name to be signed hereto by _____, its _____ President, and its corporate seal to be affixed hereto and attested by _____, its _____ Secretary, pursuant to a resolution of its Board of Directors duly adopted on the _____ day of _____, 1951, a certified copy of the record of which is attached hereto.

IDAHO POWER COMPANY

By _____
President

Attest:

Secretary

(Executed in quadruplicate)

21671

Mr. Thomas:

As I mentioned to you, if you or George can just sign a letter to this effect, I would like to have it made up in your own words or it can be copied exactly as the one here or however you suggest and please mail it to me at PO Box 2161, Boise, Idaho. Then I can incorporate it with my other papers and take to the Land Office. If you have any other suggestion, just let me know and I will carry through on that.

Harley.

2161

W. agreement between -
Idaho Power Co and

Grandview Mutual Canal Co. - 75.0 cfs

Shoofly Farms ———— } 17.4 "

D.O. & Thelma C Bybee ———— }

Tortorica Co } 1.6 cfs

Urbano & Juana Tortoricaguena

Charles E. Lee & Eli E. Holtzman — 3.0 cfs

Provides that each of the last 6 named
has right to the amount of water shown
opposite their names and that the
Power Co. will deliver that amount to
them at end of the Power Co. canal some
4000' from JC Strike Dam,

Idaho Power # 21671 02-2080

Permits on above rights

Grandview Mutual Canal Co. Permits 20071 - 500 cfs

21245 - 15.0 cfs — 22545 10.0 cfs all cfw only

Tortoricaguena Permit 21948 - 0.7 cfs cfw only

no other permits found.

21671

RESS ALL COMMUNICATIONS
TO THE SECRETARY

FEDERAL POWER COMMISSION

WASHINGTON 25

RECEIVED
SEP 21 1950

SEP 18 1950

Department of Reclamation
State of Idaho
State House
Boise, Idaho

Department of Reclamation

REGISTERED

Re: Idaho Power Company
Project No. 2055

Gentlemen:

Enclosed is a copy of the Notice of Application
in the above entitled matter.

Very truly yours,

Leon M. Fuquay
Leon M. Fuquay
Secretary.

Enclosure

21671

February 21, 1952

RECEIVED
FEB 23 1952
Department of Reclamation

Land & Survey Office
Bureau of Land Management
P O Box 2237
Boise, Idaho

Attention Mr Quin A Blackburn

Dear Mr Blackburn:

This is in reply to your letter of January 29, 1952, with reference to various applications under the Desert Land Act covering lands in the vicinity of our C J Strike project pond (FPC Project No 2055), and the Idaho State permits which have been obtained for the appropriation of water for use on these lands. The land application serial numbers, State water permit numbers, etc, referred to in your letter, are as follows:

<u>Serial No</u>	<u>Name</u>	<u>State Permit Number</u>	<u>Amount of Water</u>
I-0661	R Gale	21789	) 12.8 cfs
I-01672	J R Robinson	21789	
I-01671	M E Robinson	21789	
I-01670	M E Swanson	21789	
I-01571	T J Kurdy	21730	6.4 cfs
I-01550	W V Turner	21733	6.0 "
I-1565	F L Backman	21734	6.0 "
I-01574	A W Willemann	21735	6.4 "
I-01566	M E Hinton	21732	6.0 "
I-01875	U Totonicaguana	21948	<u>0.7</u> "

Total. 44.3 cfs

With regard to the application of W V Turner, your letter indicates that this application has been rejected for non-compliance with your departmental requirements.

As to the other above-numbered applications, Idaho Power Company will not object to the diversion from the Strike pond of up to the quantities of water covered by the respective State permits referred to above (subject to compliance with the requirements of State law relating to the completion of said appropriations) as required for the irrigation of the lands covered by the respective land applications, and will arrange with the diverting party for necessary right of way or permission for the location on or across the

-2-

Company's property of the pumps and other required facilities of such party; the foregoing, however, being subject to the understanding that such diversions and pumping, together with the necessary pumping installations and all other works and facilities, will be installed, maintained and used at the sole risk and expense of the diverting party, and subject at all times and from time to time to the right of the Company, without liability or responsibility, to fluctuate the water level in the pond to the extent that the Company may deem necessary or desirable for project operation or otherwise. The Company does not undertake to maintain the water level of the pond at any fixed or particular elevation for the purpose of making possible or permitting the intended diversions or the operation of the pumps and other works and facilities which may be installed or used for such purposes.

It must be understood that the foregoing does not constitute a precedent for future cases, and is without prejudice to the Company with respect to any future applications which may be made.

Very truly yours,

A C Inman
Secretary

ACI:mb

cc: Paul A Shepard

Roscoe E Bell, Reg Administrator
Bureau of Land Management
Swan Island Station
Portland 18, Oregon

Mark R Kulp ✓
Idaho Department of Reclamation
State Capitol Building
Boise, Idaho

Governor Len Jordan

May 20, 1952

RECEIVED
MAY 24 1952
Department of Reclamation

Land & Survey Office
Bureau of Land Management
P O box 2237
Boise, Idaho

Attention Mr. Guin A. Blackbourn

Dear Mr. Blackbourn:

This is in reply to your letter of May 9, 1952, with reference to Desert Land Application Idaho-02682, Jean D Swanson, involving lands in the vicinity of our C J Strike Project (FPC No 2055), said lands being located in the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$), Southwest Quarter ($SW\frac{1}{4}$), and the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}SE\frac{1}{4}$) of Section 2, Township 6 South, Range 4 East, Boise Meridian, and Idaho State Water Permit No 22644 for appropriation of 1.7 cubic feet per second of water for use on said lands.

As to this State water application and permit, Idaho Power Company will not object to the diversion from the Strike Reservoir of up to the quantity of water covered by the permit, subject to compliance with the requirements of State law relating to the completion of said appropriations, as required for the irrigation of the lands covered by the aforesaid land application, and will arrange with the diverting party for necessary right of way or permission for the location on or across the Company's property of the pumps and other required facilities of such party; the foregoing, however, being subject to the understanding that such diversion and pumping, together with the necessary pumping installation and all other works and facilities, will be installed, maintained and used at the sole risk and expense of the diverting party, and subject at all times and from time to time to the right of the Company, without liability or responsibility, to fluctuate the water level in the pond to the extent that the Company may deem necessary or desirable for project operation or otherwise. The Company does not undertake to maintain the water level of the pond at any fixed or particular elevation for the purpose of making possible or permitting the intended diversion or the operation of the pumps and other works and facilities which may be installed or used for such purposes.

It must be understood that the foregoing does not constitute a precedent for future cases, and is without prejudice to the Company with respect to any future applications which may be made.

With reference to your further inquiry as to placer mining claims involving a portion of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}SE\frac{1}{4}$) of said Section 2, we advise that on June 29, 1950, Idaho Power Company located two claims known as Dry Gulch Placer No 1 and Dry Gulch Placer No 2. Both claims are

-2-

660' x 1,320' in dimension, No 1 Claim covering the West Half ($W\frac{1}{2}$) and No 2 Claim covering the East Half ($E\frac{1}{2}$) of the Northwest Quarter of the Southeast Quarter ($NW\frac{1}{4}SE\frac{1}{4}$) of Section 2. These claims were recorded in Cwyhee County, Book 2 of Placer Mining Claims, pages 471 and 473, on July 6, 1950. The required location work was done in connection with the filing, but no assessment work has been done on either claim for the current fiscal year ending June 30, 1952. We know of no other gravel claims involving any of the lands of the foregoing Desert Land application.

Very truly yours,

A C Inman
Secretary

ACI:mb

cc: Paul A Shepard

Moscoe A Bell, Reg Administrator
Bureau of Land Management
Swan Island Station
Portland 18, Oregon

Mark B Kulp ✓
Idaho Department of Reclamation
State Capitol Building
Boise, Idaho

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

RECEIVED
SEP 21 1950
Department of Reclamation

In the Matter of
Idaho Power Company

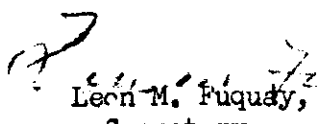
)
)
)
Project No. 2055

September 15, 1950

NOTICE OF APPLICATION FOR LICENSE (MAJOR)

Notice is hereby given that Idaho Power Company of Boise, Idaho, has filed application for license under the Federal Power Act (16 U.S.C. 791a-825r) for a proposed hydroelectric development, designated as Project No. 2055, to be located on the Snake River, Idaho, affecting public lands of the United States. This application was preceded by application for preliminary permit for the same project.

Any protest against the approval of this application or request for hearing thereon, with the reason for such protest or request and the name and address of the party or parties so protesting or requesting should be submitted on or before October 4, 1950, to the Federal Power Commission.


Leon M. Fuquay,
Secretary.

21671

September 7, 1950

Re: Permit No. 21671

Mr. A. C. Inzen
C/o Idaho Power Company
1220 Idaho Street
Boise, Idaho

Dear Mr. Inzen:

We have received from the James W. Perry Agency, Bond of the Fidelity and Casualty Company of New York, in the amount of \$1,000.00, in connection with Permit No. 21671, which has been placed on file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

CC: James W. Perry Agency

~~21671~~

"INSURE IN SURE INSURANCE"
JAMES W. PERRY AGENCY
605 EASTMAN BLDG. PHONE 1170
BOISE, IDAHO

September 6, 1950

State Reclamation Engineer
State House
Boise, Idaho

RECEIVED
SEP 7 1950
Department of Reclamation

Re: Bond No. 2305434 - Idaho Power Co.

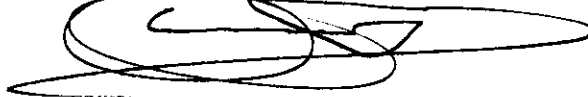
Gentlemen:

Enclosed please find a Water Permit Bond for the
above captioned concern in the amount of \$1,000.
Will you kindly place this bond on file in your
office.

Thank you.

Yours very truly,

JAMES W. PERRY AGENCY



eb
Encl.

21671

NIAGARA FIRE



INSURANCE CO.

The Fidelity and Casualty Company of New York

No. 2305434

BOND

KNOW ALL MEN BY THESE PRESENTS, That Idaho Power Company, a corporation, of Boise, Idaho, as principal, and THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, a corporation duly organized and doing business under and by virtue of the laws of the State of New York, and duly qualified and licensed for the purpose of becoming sole surety upon bonds and undertakings required or authorized by the laws of the State of Idaho, as surety, are held and firmly bound unto the State of Idaho in the full and just sum of One Thousand Dollars (\$1000.) 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 successors and assigns, jointly and severally, under the terms and condition hereinafter set forth.

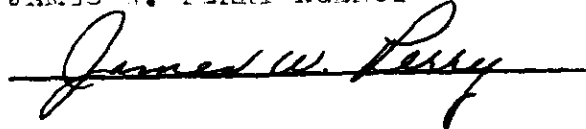
The terms of this obligation are such that, whereas the above named principal on the 21st day of June, 1950, filed in the office of the State Reclamation Engineer in Boise, Idaho, a certain application for permit to appropriate the public waters of the State of Idaho, the said application being thereupon numbered No. 29257, in accordance with which said application the State Reclamation Engineer granted and issued to the said principal herein a certain permit numbered No. 21671, a full, true and complete copy of which application No. 29257 and permit No. 21671 is of record in the office of the State Reclamation Engineer in Book 77 of Permits, at page 21671.

Now, if the above bounden principal shall faithfully carry to completion the said works of diversion as specified in said application No. 29257 and permit No. 21671, in the manner and form prescribed therein and within the time allowed, then the above obligation to be void, otherwise to remain in full force and effect.

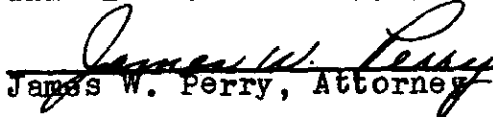
IN WITNESS WHEREOF, The said Surety has hereunto set its hands and seals this 5th day of September, 1950.

COUNTERSIGNED BY:

JAMES W. PERRY AGENCY



THE FIDELITY AND CASUALTY COMPANY OF NEW YORK


James W. Perry, Attorney

21671

August 31, 1950

Re: Permit No. 21671

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

Dear Mr. Inman:

We enclose Permit No. 21671 and direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

As you know, Bond in the sum of \$1000.00 should be furnished on or before October 31, 1950.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

Enc.

21671



IDAHO POWER COMPANY

BOISE, IDAHO

August 24, 1950

RECEIVED
AUG 25 1950
Department of Reclamation

Mr Mark R Kulp
State Reclamation Engineer
State Capitol Building
Boise, Idaho

Dear Mr Kulp:

In accordance with our understanding, I am transmitting herewith for your files reduced-size, photostatic copies of Sheets 1-3 of our Drawing E-9462, showing the layout, plans and specifications of the proposed dam and works of the proposed C J Strike hydro-electric development (Hopkins Ferry), as approved by you August 21, 1950, pursuant to Section 42-1707, Idaho Code.

Very truly yours,

A C Inman
Secretary

ACI:mb
Encl

6-271



IDAHO POWER COMPANY

BOISE, IDAHO

August 17, 1950

RECEIVED
AUG 21 1950
Department of Reclamation

Mr Mark R Kulp
Reclamation Engineer
State House
Boise, Idaho

Dear Mr Kulp:

I am enclosing herewith, for the purposes of obtainment of approval of dam plans and specifications as referred to in Section 42-1707, Idaho Code, two sets of white-line prints of Sheets 1, 2 and 3 of our Drawing E-9462, in which connection we will be pleased to furnish any further information or details which you may require. Upon approval thereof, it will be appreciated if you will return one set for our files showing the action taken thereon.

Very truly yours,

A C Inman
Secretary

ACI:mb
Encl

*Approved & returned to
applicant Aug. 22, 1950*

21271

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATER OF THE STATE
OF IDAHO IN ACCORDANCE WITH
THE PROVISIONS OF SECTION 42-
203, IDAHO CODE.

NOTICE IS HEREBY GIVEN, That
the Idaho Power Company, of Boise,
Idaho, has made application on the
21st day of June, 1950, to appropriate
16,000 cubic feet per second of the
waters of Snake River for the de-
velopment of electric power and en-
ergy.

That the point of diversion of
said water is described as being
N. 4°23' E. 2572 feet distant from
the Southwest corner of Section 34,
Township 5 South, Range 4 East,
B.M., and in Lots 4 and 10 of said
Section 34, Township 5 South, Range
4 East, B.M.

That the point of use of said
water is the same as the point of
diversion.

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

Dated this 15th day of July, 1950.

MARK R. KULP

State Reclamation Engineer

Date of first publication: July 20, 1950.

Date of last publication: August 3,
1950.

Last date for protest: August 24, 1950.

SERVICE OF THE FOREGOING,
by copy, is hereby admitted, this
15th day of July, 1950.

IDAHO POWER COMPANY
Applicant.

By A. C. INMAN, its Secretary
By A. C. INMAN, Secretary

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Robert M. Cooley do
solemnly swear that I am the foreman, the
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

3 consecutive weeks, the first pub-
lication having been made on the 20th day

of July, 1950, and the

last publication having been made on the 3rd

day of August, 1950;
every number of the paper during the period
and time of publication and that the notice
was published in the newspaper proper and
not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS (formerly Mountain Home
Republican) has been continuously and unin-
terruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Subscribed and sworn to me this 11th

day of August, 1950.

Mary Bermeas
Notary Public

RECEIVED
AUG 15 1950

Department of Reclamation

FEDERAL POWER COMMISSION

WASHINGTON 25

RECEIVED
AUG 14 1950

Department of Reclamation AUG 10 1950

app. 29257
Department of Reclamation
State of Idaho
State House
Boise, Idaho

REGISTERED

Re: Idaho Power Company
Project No. 2055

Gentlemen:

Enclosed is a copy of the Notice of Application
for Preliminary Permit in the above-entitled matter.

Very truly yours,


J. H. Gatringer
Acting Secretary.

Enclosure

21671

27

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

In the Matter of
Idaho Power Company

}
}
}

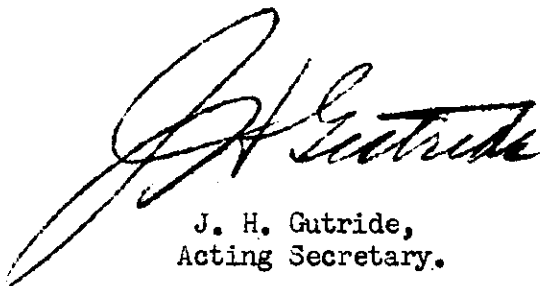
Project No. 2055

August 9, 1950

NOTICE OF APPLICATION FOR PRELIMINARY PERMIT

Public notice is hereby given that Idaho Power Company of Boise, Idaho, has filed application for preliminary permit under the Federal Power Act (16 U.S.C. 791a--825r) for a proposed hydroelectric development, designated as Project No. 2055, to be located on Snake River, Idaho, affecting public lands of the United States.

Any protest against the approval of this application or request for hearing thereon, with the reason for such protest or request and the name and address of the party or parties so protesting or requesting should be submitted on or before September 18, 1950 to the Federal Power Commission.



J. H. Gutride,
Acting Secretary.

21671

aff. 29297

✓
August 11, 1950

Mr. A. C. Inman, Secretary
Idaho Power Company
1220 Idaho Street
Boise, Idaho

Dear Mr. Inman:

Both copies of the Affidavit of Publication in the Owyhee Chronicle reached us this morning, one in an envelope with your return and the other with return to G. H. Petersen, and both postmarked August 10, 1950.

We are accordingly returning one copy of the affidavit herewith.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

21671

**NOTICE OF APPLICATION
FOR PERMIT TO APPROPRIATE
THE PUBLIC WATER
OF THE STATE OF IDAHO,
IN ACCORDANCE WITH
THE PROVISIONS OF SEC-
TION 42-203, IDAHO CODE.**

STATE OF IDAHO, DEPART-
MENT OF RECLAMATION.

NOTICE IS HEREBY GIVEN,
That the Idaho Power Company
of Boise, Idaho, has made appli-
cation on the 21st day of June,
1950, to appropriate 16,000 cubic
feet per second of the waters of
Snake River for the develop-
ment of electric power and
energy.

That the point of diversion of
said water is described as being
N. 6°23' E. 2,572 feet distant
from the Southwest corner of
Section 34, Township 5 South,
Range 4 East, B. M., and in Lots
4 and 10 of said Section 34,
Township 5 South, Range 4 East,
B. M.

That the point of use of said
water is the same as the point
of diversion.

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 pro-
test shall state the name and ad-
dress of the protestant, and shall
clearly set forth his objections
to the approval of said applica-
tion.

Dated this 15th day of July,
1950.

MARK R. KULP,
State Reclamation Engineer.
Date of first publication: July
20.

Date of last publication Aug-
ust 3.

Last date for protest: August
24, 1950.

SERVICE OF THE FORE-
GOING, by copy, is hereby ad-
mitted, this 15th day of July,
1950.

IDAHO POWER COMPANY,
Applicant.

By A. C. INMAN, Secretary
7-20-3.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Everett A. Colley, being first duly sworn, depose
and say:

1. That I am a citizen of the United States of America, and at all
times hereinafter mentioned was and now am over the age of twenty-
one years, not a party to nor interested in the proceedings hereinafter
mentioned.

2. That during the time of the publication of the notice hereinafter
mentioned, I was and now am the printer and co-publisher of THE
OWYHEE CHRONICLE, a newspaper of general circulation printed
and published weekly, on Thursday of each and every week, in the
City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and
published continuously and uninterruptedly in said County during a
period of seventy-eight weeks prior to the first publication of the at-
tached notice.

4. That said notice NOTICE OF APPLICATION FOR PERMIT TO
APPROPRIATE THE PUBLIC WATER OF THE STATE OF IDAHO
IN ACCORDANCE WITH THE PROVISIONS OF SECTION
42-203, IDAHO CODE

of which a printed copy, taken from said newspaper, is hereto annexed,
was published in the regular issue thereof, and not in a supplement
thereto, in said newspaper, in three (3) (consecutive) calendar
weekly issue(s) of said newspaper, on the following date(s):

July 20, 1950

July 27, 1950

Aug. 3, 1950

Signed

Everett A. Colley

Subscribed and sworn to before me this 4th day of Aug.

A. D., 1950.

M. H. Robinson
Notary Public in and for the State of Idaho.

Residing at Caldwell, Idaho.

My commission expires Feb. 5, 1951.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATER OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

NOTICE IS HEREBY GIVEN, That the Idaho Power Company, of Boise, Idaho, has made application on the 21st day of June, 1950, to appropriate 16,000 cubic feet per second of the waters of Snake River for the development of electric power and energy.

That the point of diversion of said water is described as being N. 6°23' E. 2572 feet distant from the Southwest corner of Section 34, Township 5 South, Range 4 East, B.M., and in Lots 4 and 10 of said Section 34, Township 5 South, Range 4 East, B.M.

That the point of use of said water is the same as the point of diversion.

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 said application.

Dated this 15th day of July, 1950

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication _____
Date of last publication _____
Last date for protest: August 24, 1950

SERVICE OF THE FOREGOING, by copy, is hereby admitted, this 15th day of July, 1950.

IDAHO POWER COMPANY
Applicant.

By

R. E. Inman

Its Secretary

21471

July 15, 1950

Re: Application No. 29257

The Owyhee Chronicle
Homedale, Idaho

Gentlemen:

Due to an error in the description in the notice of the application of the Idaho Power Company for water permit sent you on June 28, 1950, and which has now presumably been published for two weeks, it will be necessary to re-publish the corrected application notice, enclosed herewith, for three consecutive weeks, commencing with your next issue.

When the latter publication is completed, please send duplicate affidavits of publication, together with your billing, direct to the Idaho Power Company, Attention A. C. Inman, No. 1220 Idaho St., Boise, Idaho.

As to the two publications already completed, your billing may be sent to the Idaho Power Company at this time, without waiting until the new publication is completed. No affidavit for the publication to date is necessary.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

CC to Idaho Power Company.

July 15, 1950

Re: Application No. 29257

The Mountain Home Republican
Mountain Home, Idaho

Gentlemen:

Due to an error in the description in the notice of the application of the Idaho Power Company for water permit sent you on June 28, 1950, and which has now presumably been published for two weeks, it will be necessary to republish the enclosed corrected notice, enclosed herewith, for three consecutive weeks, commencing with your next issue.

When the latter publication is completed, please send duplicate affidavits of publication, together with your billing, direct to the Idaho Power Company, Attention A. C. Inman, No. 1220 Idaho St., Boise, Idaho.

As to the two publications already completed, your billing may be sent to the Idaho Power Company at this time, without waiting until the new publication is completed. No affidavit for the publication to date is necessary.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

CC to Idaho Power Co.

June 28, 1950

Re: Application No. 29257

The Mountain Home Republican
Mountain Home, Idaho

Gentlemen:

We enclose herewith, Notice of application for Permit which please publish once a week for three consecutive weeks, beginning with your next issue.

The cost of publication is to be paid by the Idaho Power Company, to whom please send Affidavit of Publication, together with statement of costs, in care of Mr. A. C. Inman, Secretary, 1220 Idaho Street, Boise, Idaho.

Please acknowledge receipt of this notice, and furnish this Department with a copy of the first issue containing same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

216-71

June 28, 1950

Re: Application No. 29257

The Owyhee Chronicle
Homedale, Idaho

Gentlemen:

We enclose herewith, Notice of application for Permit which please publish once a week for three consecutive weeks, beginning with your next issue.

The cost of publication is to be paid by the Idaho Power Company, to whom please send Affidavit of Publication, together with statement of costs, in care of Mr. A. C. Inman, Secretary, 1220 Idaho Street, Boise, Idaho.

Please acknowledge receipt of this notice.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A;bh
Enc.

21671

June 28, 1950

Re: Application No. 29257

Mr. A. C. Inman, Secretary
Idaho Power Company
1220 Idaho St.
Boise, Idaho

Dear Mr. Inman:

We have sent to the Owyhee Chronicle and also to the Mountain Home Republican, Notice of your application for Permit, with instructions to publish once a week for three consecutive weeks and to send you the Affidavit of Publication, together with statement of costs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer.
By

Chief Clerk

A:bh

21671

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 26, 1950
(P. O.) 1220 Idaho St., Boise, Idaho.

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Owyhee Chronicle of Homedale, Idaho published in
Mt. Home Republican Mt. Home, Idaho
the county in which the works are situated.

Idaho Power Company
by A. E. Daman, 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.

21671

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) June 26, 1950
(P. O.) 1220 Idaho St., Boise, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Mt. Home Republican of Mt. Home, Idaho published in
and Owyhee Chronicle Homedale, Idaho
the county in which the works are situated.

Idaho Power Company
by A. E. Shuman, 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.

21671

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

NOTICE IS HEREBY GIVEN, That the Idaho Power Company of Boise, Idaho, has made application on the 21st day of June, 1950, to appropriate 16,000 cubic feet per second of the waters of Snake River for the development of electric power and energy.

That the point of diversion of said water is described as being S. 79° 15' E. 3,005 feet distant from the Northeast corner of Section 34, Township 5 South, Range 4 East, B.M. and in Lots 4 and 10 of said Section 34, Township 5 South, Range 4 East, B.M.

That the point of use of said water is the same as the point of diversion.

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 said application.

Dated this 23rd day of June, 1950.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication: _____
Date of last publication: _____
Last date for protest August 2, 1950.

SERVICE OF THE FOREGOING, by copy, is hereby admitted, this 26th
day of June, 1950.

Idaho Power Company

Applicant

by A. E. Shuman, Secy

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

NOTICE IS HEREBY GIVEN, That the Idaho Power Company of Boise, Idaho, has made application on the 21st day of June, 1950, to appropriate 16,000 cubic feet per second of the waters of Snake River for the development of electric power and energy.

That the point of diversion of said water is described as being S. 79° 15' E. 3,005 feet distant from the Northeast corner of Section 34, Township 5 South, Range 4 East, B.M. and in Lots 4 and 10 of said Section 34, Township 5 South, Range 4 East, B.M.

That the point of use of said water is the same as the point of diversion.

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 said application.

Dated this 23rd day of June, 1950.

MARK R. KULP
State Reclamation Engineer

Date of first publication: _____
Date of last publication: _____
Last date for protest August 2, 1950.

SERVICE OF THIS FORFEITURE, by copy, is hereby admitted, this _____ day of _____, 1950.

Applicant

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATER OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

NOTICE IS HEREBY GIVEN, That the Idaho Power Company, of Boise, Idaho, has made application on the 21st day of June, 1950, to appropriate 16,000 cubic feet per second of the waters of Snake River for the development of electric power and energy.

That the point of diversion of said water is described as being N. 6°23' E. 2572 feet distant from the Southwest corner of Section 34, Township 5 South, Range 4 East, B.M., and in Lots 4 and 10 of said Section 34, Township 5 South, Range 4 East, B.M.

That the point of use of said water is the same as the point of diversion.

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 said application.

Dated this 15th day of July, 1950

MARK R. KULP
State Reclamation Engineer

Date of first publication _____
Date of last publication _____
Last date for protest: August 24, 1950

SERVICE OF THE FOREGOING, by copy, is hereby admitted, this 15th day of July, 1950.

IDAHO POWER COMPANY
Applicant.

By A. C. Irman

Its Secretary

2127

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE.

NOTICE IS HEREBY GIVEN, That the Idaho Power Company of Boise, Idaho, has made application on the 21st day of June, 1950, to appropriate 16,000 cubic feet per second of the waters of Snake River for the development of electric power and energy.

That the point of diversion of said water is described as being S. 79° 15' E. 3,005 feet distant from the Northeast corner of Section 34, Township 5 South, Range 4 East, B.M. and in Lots 4 and 10 of said Section 34, Township 5 South, Range 4 East, B.M.

That the point of use of said water is the same as the point of diversion.

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 said application.

Dated this 23rd day of June, 1950.

MARK R. KULP
State Reclamation Engineer

Date of first publication: _____
Date of last publication: _____
Last date for protest August 2, 1950.

SERVICE OF THE FOREGOING, by copy, is hereby admitted, this _____ day of _____, 1950.

Applicant

29257

June 23, 1950

Mr. A. C. Inman
C/o Idaho Power Company
1220 Idaho Street
Boise, Idaho

Dear Mr. Inman:

We enclose Departmental Receipt No. 28443 for the filing fee of \$4,004.75 on the Idaho Power Company's application for Permit to appropriate 16,000 second feet of water from Snake River.

We also enclose duplicate notices in connection with this application. Please acknowledge service on the original and return to this Department, retaining the duplicate for your own files.

We enclose four of Form 11, as we understand that this publication is to be made in both Owyhee and Elmore Counties, so you will need two to return to us with the notice and the extra copies for your own files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

21671



IDAHO POWER COMPANY

BOISE, IDAHO

June 21, 1950

Department of Reclamation
State Capitol Building
Boise, Idaho

Gentlemen:

I am transmitting herewith application of Idaho Power Company to appropriate 16,000 cubic feet per second of the waters of Snake River for electric power generating purposes in connection with this Company's proposed Hopkins Ferry hydroelectric development, together with check for filing fee in the amount of \$4,004.75. Two copies of the map of the proposed development are also enclosed.

Very truly yours,

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

A C Inman
Secretary

ACI:mb
Encl

RECEIVED
JUN 21 1950
1:30 PM
Department of Reclamation

21671

IDAHO POWER COMPANY
BALANCE SHEET, MARCH 31, 1950
(Subject to Approval of Independent Auditors)

ASSETS AND OTHER DEBITS

ELECTRIC PLANT (see Note 1):

Electric plant in service.....	\$82,758,091.42
Construction work in progress.....	11,171,354.91
Electric plant acquisition adjustments.....	<u>2,155,624.11</u>

Total electric plant..... \$ 96,085,070.44

INVESTMENT AND FUND ACCOUNTS:

Other physical property.....	\$ 141,582.23
Miscellaneous investments.....	40,872.48
Miscellaneous special funds.....	<u>2,291.25</u>

Total investment and fund accounts..... 184,745.96

CURRENT AND ACCRUED ASSETS:

Cash in banks - On demand.....	\$ 2,783,687.27
Special deposits.....	5,220.50
Working funds.....	47,933.19
Temporary cash investments - United States	
Government obligations (at cost).....	1,499,055.84
Notes receivable.....	3,256.60
Accounts receivable:	
Customers (less allowance for uncollectible	
accounts - \$31,683.98).....	760,098.39
Other.....	34,878.53
Interest and dividends receivable.....	3,831.62
Materials and supplies (at average cost).....	917,048.21
Prepayments.....	<u>79,499.22</u>

Total current and accrued assets..... 6,134,509.37

DEFERRED DEBITS:

Expenditures in connection with conversion of gas	
users to the use of electric service (see Note 2) \$	112,432.91
Other.....	<u>330,331.27</u>

Total deferred debits..... 442,764.18

CAPITAL STOCK EXPENSE..... 376,751.26

TOTAL..... \$103,223,841.21

The accompanying Notes to Financial Statements are an integral part of this balance sheet.

21671

IDAHO POWER COMPANY
BALANCE SHEET, MARCH 31, 1950
(Subject to Approval of Independent Auditors)

LIABILITIES AND OTHER CREDITS

CAPITAL STOCK:

4% Preferred, cumulative, \$100 par; authorized, 200,000 shares; outstanding, 145,000 shares (see Note 3).....	\$14,500,000.00	
Premium on 4% Preferred Stock.....	278,826.00	
Common, \$20 par; authorized and outstanding, 900,000 shares.....	18,000,000.00	
Premium on Common Stock.....	<u>4,940,000.00</u>	
Total capital stock.....		\$ 37,718,826.00

LONG-TERM DEBT - First Mortgage Bonds:

3 1/8% Series due 1973.....	\$18,000,000.00	
2 3/4% Series due 1977.....	5,000,000.00	
3% Series due 1978.....	10,000,000.00	
2 3/4% Series due 1979.....	<u>12,000,000.00</u>	
Total long-term debt.....		45,000,000.00

CURRENT AND ACCRUED LIABILITIES:

Accounts payable.....	\$ 1,329,621.09	
Liability for preferred stocks and bonds called for redemption (cash in special deposits).....	4,680.50	
Customers' deposits.....	99,483.32	
Taxes accrued.....	2,714,732.50	
Interest accrued.....	497,916.66	
Preferred dividends accrued.....	96,666.66	
Other current and accrued liabilities.....	<u>32,726.80</u>	
Total current and accrued liabilities.....		4,775,827.53

DEFERRED CREDITS:

Unamortized premium on debt.....	\$ 451,665.98	
Customers' advances for construction.....	55,899.42	
Other deferred credits.....	<u>329,538.12</u>	
Total deferred credits.....		837,103.52

RESERVES:

Property retirement (see Note 4).....	\$ 9,048,268.98	
Amortization of electric plant acquisition adjustments (see Note 1).....	1,037,475.06	
Injuries and damages.....	<u>18,989.70</u>	
Total reserves.....		10,104,733.74

CONTRIBUTIONS IN AID OF CONSTRUCTION..... 197,316.14

EARNED SURPLUS..... 4,590,034.28

TOTAL..... \$103,223,841.21

The accompanying Notes to Financial Statements are an integral part of this balance sheet.

IDAHO POWER COMPANY
NOTES TO FINANCIAL STATEMENTS, MARCH 31, 1950
(Subject to Approval of Independent Auditors)

1. Electric plant in service is stated on the basis of original cost when first devoted to public service in accordance with reports filed with the Federal Power Commission and state regulatory authorities. Pursuant to orders of such authorities, a reserve is being provided for amortization of the item of electric plant acquisition adjustments, \$2,155,624.11, by annual charges to income; of this amount, \$2,091,576.09 is being provided over a period of fifteen years beginning with the year 1943. The book value of electric plant does not purport to represent present realizable values or replacement cost.
2. Pursuant to an order of regulatory authority, the Company is amortizing expenditures in connection with conversion of gas users to the use of electric service, by monthly pro rata charges to income over a period of approximately six and two-thirds years beginning January 1, 1945.
3. The 4% preferred stock presently outstanding is callable at any time at \$105.00 a share if redeemed during the calendar years 1950-1954, inclusive, or at \$104.00 a share if redeemed on or after January 1, 1955; plus accrued dividends to date of redemption. Amendments to the by-laws fixing different dividend rates or redemption prices for authorized but unissued preferred stock may be made by the board of directors.
4. It is the Company's practice to provide for retirements of property by making such provisions from current income as are considered by the management necessary to provide for current and future retirements. The systems of accounts prescribed by regulatory authorities have required depreciation accounting since January 1, 1937. For some years prior to that date the Company was subject to an upkeep formula prescribed by state regulatory authorities which governed the amount of combined maintenance and depreciation allowable for rate purposes. The Company's provisions for retirements since January 1, 1937 have approximated straight-line depreciation based on studies by the Company of the estimated lives of individual units of depreciable property. In the opinion of the management, the reserve balance at March 31, 1950 is adequate in its relation to the depreciable property.

Except as stated in Note 5, charges to property retirement reserve consist of the book value (estimated if not known) of units of property retired plus removal cost, less salvage.

5. In the process of redevelopment of the Lower Salmon and Malad power sites, the Company during 1948 retired from service facilities which were not to become permanent parts of the redevelopments. The book value plus removal costs, less salvage (partly estimated) of such facilities and of the Hailey plant abandoned in 1948, aggregating \$930,848.98, has been charged to the property retirement reserve and earned surplus in the amounts of \$603,387.90 and \$327,461.08, respectively. The charge to earned surplus during 1948 represented the excess of net cost (book value plus removal costs, less salvage) of Lower Salmon licensed project property retired, over amount of related project reserve computed as prescribed by Federal regulatory authority.

For Federal and state income-tax purposes the cost of these properties not previously recovered through depreciation allowances, approximately \$650,000 was treated as an abandonment loss in 1948 and as a result the provisions for income taxes for that year were reduced approximately \$267,000, increasing net income accordingly.

IDAHO POWER COMPANY
COMPARATIVE STATEMENT OF INCOME
For the Three Months Ended March 31, 1950 and 1949
(Subject to Approval of Independent Auditors)

	Three Months Ended March 31		Increase or Decrease*
	1950	1949	
OPERATING REVENUES.....	\$3,594,186.03	\$3,105,982.37	\$488,203.66
OPERATING REVENUE DEDUCTIONS:			
Operating expenses, excluding direct taxes..	\$1,041,941.16	\$1,060,197.90	\$ 18,256.74*
Direct taxes:			
Federal.....	482,697.64	404,798.57	77,899.07
State, county and local.....	592,002.36	473,301.43	118,700.93
Property retirement reserve appropri- ations (see Note 4).....	362,400.00	300,000.00	62,400.00
Total operating revenue deductions.....	\$2,479,041.16	\$2,238,297.90	\$240,743.26
NET OPERATING REVENUES.....	\$1,115,144.87	\$ 867,684.47	\$247,460.40
OTHER INCOME (net).....	5,308.67	1,741.27	3,567.40
GROSS INCOME.....	\$1,120,453.54	\$ 869,425.74	\$251,027.80
INCOME DEDUCTIONS:			
Interest on mortgage bonds.....	\$ 332,500.01	\$ 250,000.01	\$ 82,500.00
Interest charged to construction - Credit...	151,051.36	122,483.35	28,568.01
Provision for amortization of electric plant acquisition adjustments (see Note 1).....	36,680.94	36,680.94	-
Other interest and deductions (net).....	4,850.40	11,543.74	6,693.34*
Total income deductions.....	\$ 222,979.99	\$ 175,741.34	\$ 47,238.65
NET INCOME.....	\$ 897,473.55	\$ 693,684.40	\$203,789.15
DIVIDENDS APPLICABLE TO PREFERRED STOCK FOR THE PERIOD.....	145,000.00	135,000.00	10,000.00
BALANCE AVAILABLE FOR COMMON STOCK DIVIDENDS AND SURPLUS.....	\$ 752,473.55	\$ 558,684.40	\$193,789.15
Times Bond Interest Earned.....	3.70	3.77	0.07*
Times Preferred Dividends Earned.....	6.19	5.14	1.05
Times Bond Interest and Preferred Dividends Earned.....	2.58	2.45	0.13
Earnings Per Share of Common Stock.....	\$ 0.84 (1)	\$ 0.80 (2)	\$ 0.04

(1) Based on 900,000 shares outstanding.
(2) Based on 700,000 shares outstanding.

The accompanying Notes to Financial Statements are an integral part of this statement.

IDAHO POWER COMPANY
STATEMENT OF EARNED SURPLUS
For the Three Months Ended March 31, 1950
(Subject to Approval of Independent Auditors)

EARNED SURPLUS, JANUARY 1, 1950.....	\$4,242,560.73
ADD NET INCOME FOR THE THREE MONTHS ENDED MARCH 31, 1950.....	<u>897,473.55</u>
Total.....	\$5,140,034.28

DEDUCT:

Dividends:

4% Preferred Stock.....	\$145,000.00
Common Stock.....	<u>405,000.00</u>

Total dividends.....	<u>550,000.00</u>
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EARNED SURPLUS, MARCH 31, 1950.....	<u><u>\$4,590,034.28</u></u>
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The accompanying Notes to Financial Statements are an integral part of this statement.

IDAHO POWER COMPANY
COMPARATIVE STATEMENT OF INCOME
For the Twelve Months Ended March 31, 1950 and 1949
(Subject to Approval of Independent Auditors)

	Twelve Months Ended March 31		Increase or Decrease*
	1950	1949	
OPERATING REVENUES.....	\$13,221,379.58	\$11,609,217.66	\$1,612,161.92
OPERATING REVENUE DEDUCTIONS:			
Operating expenses, excluding direct taxes.....	\$ 4,183,112.18	\$ 3,981,536.24	\$ 201,575.94
Direct taxes:			
Federal.....	1,788,897.46	1,377,627.01	411,270.45
State, county and local.....	1,977,592.56	1,599,378.06	378,214.50
Property retirement reserve appropriations (see Note 4).....	1,337,400.00	1,066,100.00	271,300.00
Total operating revenue deductions..	\$ 9,287,002.20	\$ 8,024,641.31	\$1,262,360.89
NET OPERATING REVENUES.....	\$ 3,934,377.38	\$ 3,584,576.35	\$ 349,801.03
OTHER INCOME (net).....	12,147.60	39,457.55	27,309.95*
GROSS INCOME.....	\$ 3,946,524.98	\$ 3,624,033.90	\$ 322,491.08
INCOME DEDUCTIONS:			
Interest on mortgage bonds.....	\$ 1,129,250.00	\$ 965,000.00	\$ 164,250.00
Interest charged to construction- Credit.....	617,548.32	369,380.47	248,167.85
Provision for amortization of electric plant acquisition adjustments (see Note 1).....	146,723.87	146,723.87	-
Other interest and deductions (net).....	68,464.82	17,234.03	51,230.79
Total income deductions.....	\$ 726,890.37	\$ 759,577.43	\$ 32,687.06*
NET INCOME (see Note below).....	\$ 3,219,634.61	\$ 2,864,456.47	\$ 355,178.14
DIVIDENDS APPLICABLE TO PREFERRED STOCK FOR THE PERIOD.....	576,666.66	538,666.68	37,999.98
BALANCE AVAILABLE FOR COMMON STOCK DIVIDENDS AND SURPLUS.....	\$ 2,642,967.95	\$ 2,325,789.79	\$ 317,178.16
Times Bond Interest Earned.....	3.85	3.97	0.12*
Times Preferred Dividends Earned.....	5.58	5.32	0.26
Times Bond Interest and Preferred Dividends Earned.....	2.55	2.55	-
Earnings Per Share of Common Stock.....	\$ 2.94 (1)	\$ 3.32 (2)	0.38*

(1) Based on 900,000 shares outstanding.

(2) Based on 700,000 shares outstanding.

NOTE

Included in net income for twelve months ended March 31, 1949, is the effect of reductions in Federal and state income taxes of approximately \$249,450, resulting from the retirement from service of generating facilities at Malad, Lower Salmon and Hailey, which increased earnings for the year 1948 approximately \$267,000.

The accompanying Notes to Financial Statements are an integral part of this statement.

21671

IDAHO POWER COMPANY
STATEMENT OF EARNED SURPLUS
For the Twelve Months Ended March 31, 1950
(Subject to Approval of Independent Auditors)

EARNED SURPLUS, APRIL 1, 1949.....	\$3,530,277.03
ADD NET INCOME FOR THE TWELVE MONTHS ENDED MARCH 31, 1950.....	<u>3,219,634.61</u>
Total.....	\$6,749,911.64

DEDUCT:

Amortization of premium on preferred stocks retired and other expenses related thereto (amortization completed July 31, 1949).....	\$ 53,210.70
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Dividends:

4% Preferred Stock.....	\$ 576,666.66
Common Stock.....	<u>1,530,000.00</u>

Total dividends.....	<u>2,106,666.66</u>
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Total deductions.....	<u>2,159,877.36</u>
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EARNED SURPLUS, MARCH 31, 1950.....	<u><u>\$4,590,034.28</u></u>
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The accompanying Notes to Financial Statements are an integral part of this statement.

21671

IDAHO POWER COMPANY
COMPARATIVE STATEMENT OF INCOME
For the Twelve Months Ended March 31, 1950 and 1949
(Subject to Approval of Independent Auditors)

(PRO FORMA)

	Twelve Months Ended March 31		Increase or Decrease*
	1950	1949	
OPERATING REVENUES.....	\$13,221,379.58	\$11,609,217.66	\$1,612,161.92
OPERATING REVENUE DEDUCTIONS:			
Operating expenses, excluding direct taxes.....	\$ 4,183,112.18	\$ 3,981,536.24	\$ 201,575.94
Direct taxes:			
Federal.....	1,788,897.46	1,419,481.46	369,416.00
State, county and local.....	1,977,592.56	1,626,138.84	351,453.72
Property retirement reserve appropriations.....	1,337,400.00	1,066,100.00	271,300.00
Total operating revenue deductions..	\$ 9,287,002.20	\$ 8,093,256.54	\$1,193,745.66
NET OPERATING REVENUES.....	\$ 3,934,377.38	\$ 3,515,961.12	\$ 418,416.26
OTHER INCOME (net).....	12,147.60	39,457.55	27,309.95*
GROSS INCOME.....	\$ 3,946,524.98	\$ 3,555,418.67	\$ 391,106.31
INCOME DEDUCTIONS:			
Interest on mortgage bonds.....	\$ 1,129,250.00	\$ 965,000.00	\$ 164,250.00
Interest charged to construction - Credit	617,548.32	369,380.47	248,167.85
Provision for amortization of electric plant acquisition adjustments.....	146,723.87	146,723.87	-
Other interest and deductions (net).....	68,464.82	17,234.03	51,230.79
Total income deductions.....	\$ 726,890.37	\$ 759,577.43	\$ 32,687.06*
NET INCOME (see Note below).....	\$ 3,219,634.61	\$ 2,795,841.24	\$ 423,793.37
DIVIDENDS APPLICABLE TO PREFERRED STOCK FOR THE PERIOD.....	576,666.66	538,666.68	37,999.98
BALANCE AVAILABLE FOR COMMON STOCK			
DIVIDENDS AND SURPLUS.....	\$ 2,642,967.95	\$ 2,257,174.56	\$ 385,793.39
Times Bond Interest Earned.....	3.85	3.90	0.05*
Times Preferred Dividends Earned.....	5.58	5.19	0.39
Times Bond Interest and Preferred Dividends Earned.....	2.55	2.50	0.05
Earnings Per Share of Common Stock.....	\$ 2.94 ⁽¹⁾	\$ 3.22 ⁽²⁾	0.28*

- (1) Based on 900,000 shares outstanding.
(2) Based on 700,000 shares outstanding.

NOTE

Included in net income is the effect of reductions in Federal and state income taxes, resulting from the retirement from service of generating facilities at Malad, Lower Salmon and Hailey, which increased 1948 earnings approximately \$267,000. Such reductions have been reallocated on the basis of taxable net income to each of the months of 1948; therefore, nine-months' effect of such reductions is reflected in the twelve months ended March 31, 1949.

The accompanying Notes to Financial Statements are an integral part of this statement.

21671

FACTS ABOUT C J STRIKE PLANT
IDAHO POWER COMPANY

Named in memory of the late C J Strike, former president of Idaho Power Company, this new hydro-electric development on the Snake River will be the Company's largest, generating 90,000 kilowatts at its peak.

Estimated cost \$ 19,400,000
Plus cost of related transmission facilities \$ 2,200,000

Construction schedule:

Started December 1950
Production from first generator December 1951
Second generator into service January 1952
Third generator operating and plant completed April 1952

Type of dam earth fill with impervious core

Cubic yards of material in dam 2,300,000

Reservoir area 7,500 acres

Backs water up Snake River 32 miles

Backs water up Bruneau River 12 miles

Size of Dam:

Length 3,220 feet

Height 132 feet

Width at base 600 feet

Width at top 30 feet

Core of dam: (impervious)

Thickness at elevation 2,350 feet.... 80 feet

Thickness at elevation 2,465 feet.... 20 feet

Cubic yards of material 700,000

Spillway: (at north end of dam)

Cubic yards of concrete 210,000, which is more concrete than is contained in any entire completed plant of the Company

8 radial gates 33 feet long and 22 feet high

Capacity 100,000 cubic feet per second

Powerhouse:

Length 198 feet

Width 64 feet

Living area:

Operators' cottages 12, each having approximately 1,100 square feet of floor area with full basement and attached garage

Permanent Staff:

Superintendent

Chief operator

Four switchboard operators

Four auxiliary equipment operators

One relief operator

One maintenance man

THE IDAHO EVENING STATESMAN

Boise, Idaho

4-14-51

In Memory of a Man and His Principles

Down near Grandview, along the Snake river, the Idaho Power company is building the C. J. Strike dam. The late C. J. Strike was the past president of the Idaho Power company, and a man whose dynamic energy and sound liberalness enabled him to pace the Idaho utility to new levels in prestige and purpose. It is proper that this project be named in his honor. And the project would make "C. J." very proud.

A group of Idaho businessmen were taken on a tour of this project this week. The power company officials were interested in making a first-hand progress report of this new facility which will aid the state in general, and the company in particular. The tour was interesting, the project is tremendous, and the work in progressing rapidly.

But more than the fact that a dam is being built here is the realization that this project is one of private enterprise, and not of the government. High on the desert hills one day soon will stand a dam and power house, one in Elmore county (the dam) and the other in Owyhee (the power house). Rather than to become a financial burden on the people of the state, this project will become an asset to the state, and especially to these smaller populated counties, as it becomes a member of the great family which pays state, county and federal taxes. Furthermore it is giving employment to a large number of men, and there is a group of substantial homes nearby which will permanently house a large maintenance and operating force. Truly out of the desert is coming life and sustenance that stands not only on a firm clay and concrete base, but also on merit.

The power company, ever fighting against the threat of public power from the socialist-minded bureaucrats in Washington, should invite every resident of the community and, in fact, of the state, to come and see the C. J. Strike dam under construction. Every man who pays taxes, every man who believes in the independence of his soul, as did C. J. Strike, should drive out and stand on the brim of this great canyon wherein this dam is being built.

Here is reassurance that the American way functions when men are so determined: Those who carry on the trust of C. J. Strike are building a great monument in his honor and, most important of all, they are doing it the way he believed in doing this—standing squarely on their own solid legs.

21671

81671



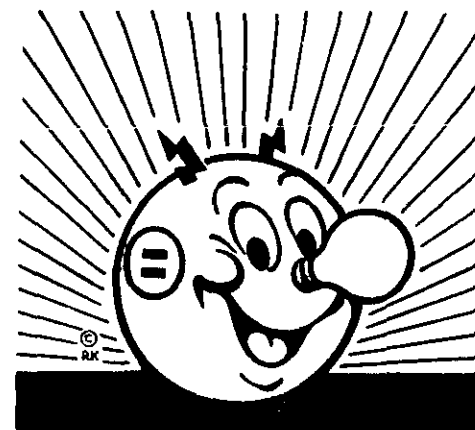
What's Ahead?

The electric power situation in the Snake River Valley is an example of private enterprise at work in the American way. As long as Idaho Power Company is left free to operate in a businesslike way, and is not denied the opportunity to develop the power sites on Snake river, there will be plenty of power for every purpose in this territory.

While everything that goes into the production and distribution of electricity has soared in price — construction costs, materials, wages, taxes — electric power in this area, still sells at pre-war prices. It is one of the very few items in the family budget that has not been increased many fold.

When you think of community development, and of the supply of electric power which helps make that development possible, remember that Idaho Power has provided abundant power for homes, farms, business and industry at a cost that is substantially below the national average.

IDAHO POWER
A CITIZEN WHEREVER IT SERVES



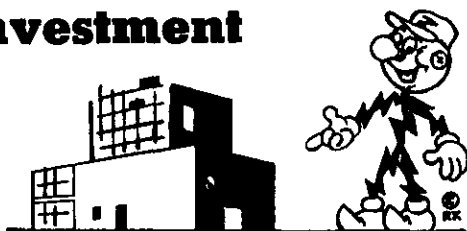
**PLENTY
OF
ELECTRIC
POWER
FOR THE
Snake River
Valley**

*...and more
to come*

35-year record of adequate power for this territory

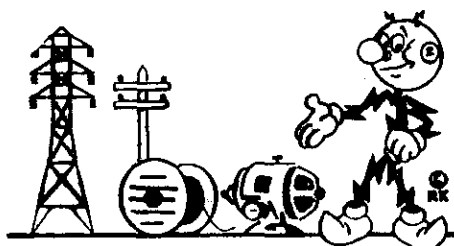
Since Idaho Power Company assumed the responsibility of providing electric service for this area—nearly 35 years ago—there has always been an adequate and dependable supply of electric power for every purpose.

Investment



At the close of 1950 the cost of all property, facilities and equipment of Idaho Power Company amounted to \$101,600,000. This is an increase of 186% in the past ten years.

Construction



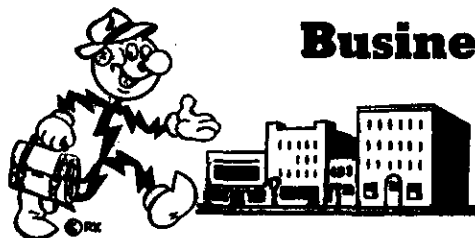
Since the close of the war Idaho Power Company has built five new power plants, thousands of miles of new transmission lines, substations and other facilities. The C. J. Strike hydroelectric plant, which will cost nearly \$20,000,000, is now under construction and will be completed by mid-1952.

Taxes



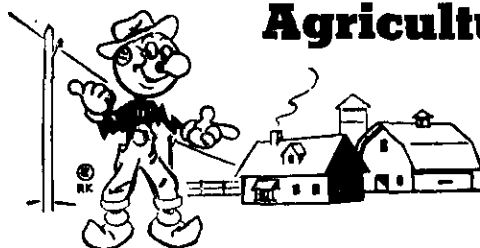
For the 12 months ending June 1951 the company's taxes were \$4,897,425, or over 31 cents out of each dollar of revenue. Taxes are the largest single item of expense in the company's business.

Business



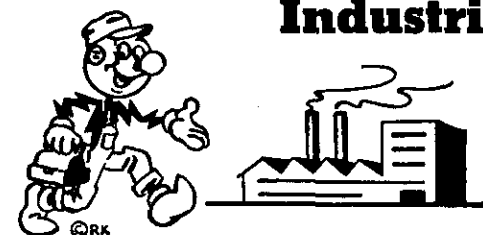
Idaho Power Company's 1252 present employees spend their annual payroll of \$4,468,064 in the Snake River Valley, increasing the volume of all businesses in this territory.

Agriculture



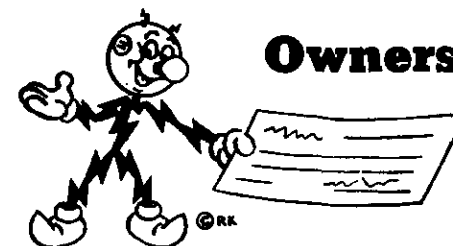
Electrification of existing farms within the company's service area is virtually complete. At the end of 1950 over 27,400 farms were being served. Farm customers in 1950 used an average of 5,115 kilowatt hours, which is among the highest in the nation. Idaho Power company's rates for electric service to the farmer, the same as those paid by city dwellers, are among the lowest in the country as a whole.

Industrial



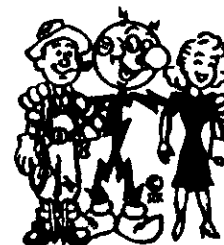
Idaho Power Company is supplying large amounts of power for a wide range of basic industries in the fields of mining, phosphates, lumbering, smelting, manufacturing and agricultural processing. No industry or business has been deprived of location in this area because of lack of sufficient power. No community served by the Company has been retarded for this reason.

Ownership

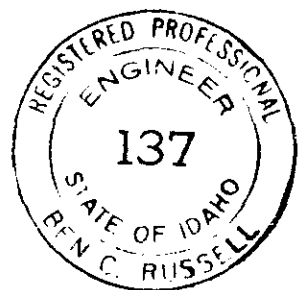
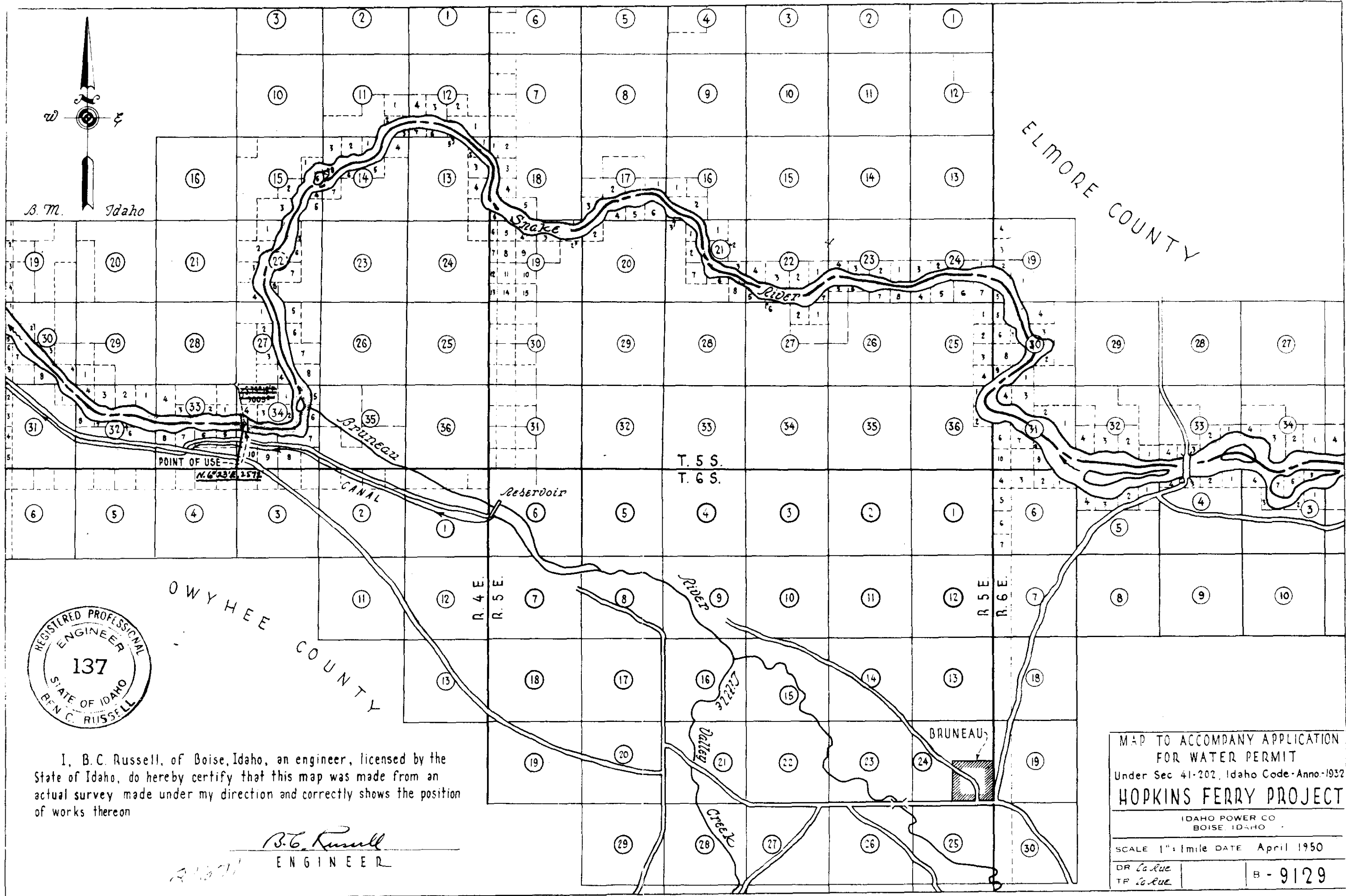


Idaho Power Company is an independent business-managed, electric utility owned by over 10,500 stockholders throughout the nation, over 56% living in the 11 western states. Seventy per cent of the preferred stockholders reside in the area served by the Company.

Good Citizens



Idaho Power Company and its employees take an active part in all projects organized for the business, industrial, civic and charitable development of the cities, towns and communities in the Snake River Valley.



I, B.C. Russell, of Boise, Idaho, an engineer, licensed by the State of Idaho, do hereby certify that this map was made from an actual survey made under my direction and correctly shows the position of works thereon

B.C. Russell
ENGINEER

MAP TO ACCOMPANY APPLICATION FOR WATER PERMIT Under Sec 41-202, Idaho Code-Anno-1932 HOPKINS FERRY PROJECT IDAHO POWER CO BOISE, IDAHO	
SCALE 1" = 1 mile DATE April 1950	
DR <i>La Rue</i>	B - 9129
TP <i>La Rue</i>	

September 30, 1960

Mr. Donald I. Bailey, Manager
Idaho Land Office
U. S. Bureau of Land Management
Boise, Idaho

Re: Desert Entry, Thelma Bybee, Idaho Serial No. 011115

Dear Sir:

THIS IS TO CERTIFY that in our records entitled "Permit No. 21671, Strike Dam Hydroelectric Development Project", we have a certified copy of an agreement between Shoo-fly Farms - D. G. Bybee and the Idaho Power Company dated April 10, 1952. In this agreement, it provides that D. G. Bybee, the owner of Shoo-fly Farms, agrees to change his point of diversion for pumping out of the Snake River and accept a point of diversion constructed by the Idaho Power Company to receive 17.4 cubic feet per second of water for irrigation.

This office has no objection to the provisions and terms of the above described agreement and particularly to the details thereof which specifically state that:

1. D. G. Bybee, owner of Shoo-fly Farms, may change the point of diversion heretofore used for pumping water from Snake River to a newly constructed point of diversion, and
2. Water in amount 100 miner's inches heretofore used elsewhere on certain lands may be transferred to and used upon a Desert Land Entry, Idaho Serial No. 011115 described as: Lots 1, 2, SE1/4NW1, NE1/4SW1, NW1/4SE1, SE1/4SE1, Section 1, Township 6 South, Range 3 East; Lot 7, Section 6, Township 6 South, Range 4 East, B.M.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer

GWC:mr

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

**NOTICE OF APPLICATION FOR
PERMIT TO APPROPRIATE THE
PUBLIC WATERS OF THE STATE
OF IDAHO IN ACCORDANCE WITH
THE PROVISIONS OF SECTION 42-
203, IDAHO CODE.**

NOTICE IS HEREBY GIVEN, That the Idaho Power Company of Boise, Idaho, has made application on the 21st day of June, 1950, to appropriate 16,000 cubic feet per second of the waters of Snake River for the development of electric power and energy.

That the point of diversion of said water is described as being S. 79° 15' E. 3.005 feet distant from the Northeast corner of Section 34, Township 5 South, Range 4 East, B.M. and in Lots 4 and 10 of said Section 34, Township 5 South, Range 4 East, B.M.

That the point of use of said water is the same as the point diversion.

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 said application.

Dated this 23rd day of June, 1950.

MARK R. KULP

State Reclamation Engineer

Date of first publication: July 6, 1950.

Date of last publication: July 20 1950.

Last date for protest August 2, 1950.

SERVICE OF THE FOREGOING, by copy, is hereby admitted, this 26th day of June, 1950.

IDAHO POWER COMPANY

Applicant

By A. C. INMAN, Secretary

NOTICE OF PROOF OF COMPLETION OF WORKS and APPLICATION OF WATER TO BENEFICIAL

Notice is hereby given that at 10:00 A. M., on Tuesday, December 9, 1952, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before Erma L. Dvorak, Notary Public, proof will be submitted of the completion of works for the diversion of 16,000 cubic feet per second of the waters of the Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21671 heretofore issued by the Department of Reclamation of the State of Idaho.

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

2. 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is in excess of 16,000 cubic feet per second.

3. The use to which said water has been applied is for generation of electric power, and the amount to beneficial use is in excess of 16,000 cubic feet per second.

4. The place where said water is used is on Lots 4 and 10 of Section 34, Township 5 South, Range 4 East, Boise Meridian, approximately 2372 feet northeasterly from the southwest corner of Section 34, said Township and Range, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 21, 1950 under Permit No. 21671.

MARK R. KULP

State Reclamation Engineer

First publication Nov. 13, 1952.

Last publication Dec. 4, 1952.

NOTICE OF CITY BOND ELECTION

NOTICE OF PROOF
OF COMPLETION OF WORKS

an
APPLICATION FOR WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on Tuesday, December 9, 1952, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before Erma L. Dvorak, Notary Public, proof will be submitted of the completion of works for the diversion of 16,000 cubic feet per second of the waters of the Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 21671 heretofore issued by the Department of Reclamation of the State of Idaho.

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

2. 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 conveying to the place of use, in accordance with the plans accompanying the application for such permit, is in excess of 16,000 cubic feet per second.

3. The use to which said water has been applied is for generation of electric power, and the amount applied to beneficial use is in excess of 16,000 cubic feet per second.

4. The place where said
used is on Lots 4 and 10 of Section 34, Township 5 South, Range 4 East, Boise Meridian, approximately 2572 feet northeasterly from the southwest corner of Section 34, said Township and Range, Boise Meridian.

5. The date of priority which said user is prepared to establish is June 21, 1950, under Permit No. 21671.

MARK R. KULP,
State Reclamation Engineer
Pub. Nov. 6—Nov. 27, 1952

11/13

**NOTICE OF PROOF
OF COMPLETION OF WORKS**

**APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that :
10:00 A. M. on Tuesday, December
9, 1952, at 1220 Idaho Street, Boise,
County of Ada, State of Idaho, be-
fore Erma L. Dvorak, Notary Pub-
lic, proof will be submitted of the
completion of works for the diver-
sion of 16,000 cubic feet per sec-
ond of the waters of the Snake
River and of the application to
beneficial use of said water, in ac-
cordance with the terms and con-
ditions of Permit No. 21671 here-
before issued by the Department
of Reclamation of the State of Ida-
ho.

1. The name and postoffice ad-
dress of the person or corporation
holding said permit is Idaho Pow-
er Company, 1220 Idaho Street,
Boise, Idaho.

2. 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 conveying to the
place of use, in accordance with

the plans accompanying the appli-
cation for such permit, is in ex-
cess of 16,000 cubic feet per sec-
ond.

3. The use to which said water
has been applied is for generation
of electric power, and the amount
applied to beneficial use is in ex-
cess of 16,000 cubic feet per sec-
ond.

4. The place where said water is
used is on Lots 4 and 10 of Sec-
tion 34, Township 5 South, Range
4 East, Boise Meridian, approxi-
mately 2572 feet northeasterly
from the southwest corner of Sec-
tion 34, said Township and Range,
Boise Meridian.

5. The date of priority which
said user is prepared to establish
is June 21, 1950, under Permit No.
21671.

MARK R. KULP,
State Reclamation Engineer
Pub. (Nov. 6) - Nov. 27, 1952

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

NOTICE OF APPLICATION TENDERED FOR FILING WITH THE COMMISSION

(December 9, 1998)

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

- a. Type of Application: New License of Hydroelectric Facility
- b. Project No.: P-2055-000
- c. Date filed: November 24, 1998
- d. Applicant: Idaho Power Company, Idaho
- e. Name of Project: C.J. Strike Hydroelectric Project
- f. Location: On the Snake River in Owyhee County, Idaho between the towns of Grandview and Bruneau.
- g. Filed Pursuant to: Federal Power Act 16 U.S.C. §§791(a) - 825(r).
- h. Applicant Contact: L. Lewis Wardle
Relicensing Project Manager
Idaho Power Company
P.O. Box 70
Boise, Idaho 83707
(208)388-2964
- i. FERC Contact: John Blair (202) 219-2845
- j. Comment Date: 60 days from the filing date in paragraph c.
- k. Description of Project: The project consists of: (1) the existing reservoir impounding 32 miles of the Snake River and 7 miles of the Bruneau River; (2) the existing 3,220-foot-long dam with a height of 115 feet; (3) a powerhouse containing three generating units having an installed capacity of 82.8 megawatts; (4) 3,019 acres of Bureau of Land Management land; (5) two 138-kv transmission lines spanning a total of 90 miles.
- l. With this notice, we are initiating consultation with the Idaho State Historic Preservation Officer (SHPO), as required by §106, National Historic Preservation Act, and

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Department of Water Resources

Project No. 2055-000

- 2 -

the regulations of the Advisory Council on Historic Preservation, 36 CFR 800.4.

Under Section 4.32 (b)(7) of the Commission's regulations (18 CFR), if any resource agency, Indian Tribe, or person believes that the applicant should conduct an additional scientific study to form an adequate factual basis for a complete analysis of the application on its merits, they must file a request for the study with the Commission, not later than 60 days after the date the application is filed, and must serve a copy of the request on the applicant.

Linwood A. Watson, Jr.
Acting Secretary

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C.

Office of Hydropower Licensing

Project Nos. 503, 1971,
1975-014, 2055, 2061-004,
2726, 2777-007, 2778-005

DATE: DEC 18 1997

MEMORANDUM TO: The Party Addressed

SUBJECT: Scoping document 2 for the (1) cumulative analysis of the Snake River Basin and (2) the project-specific analysis for the Bliss Project (FERC No. 1975-014), Lower Salmon Falls Project (FERC No. 2061), Upper Salmon Falls Project (FERC No. 2777), and Shoshone Falls Project (FERC No. 2778-005)--Idaho

The Federal Energy Regulatory Commission is evaluating issues associated with new licenses for the continued operation of the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Hydroelectric Projects, located on the Snake River in Twin Falls, Elmore, Gooding, and Jerome Counties, Idaho, along with the cumulative effects of these four projects and four other Idaho Power Company projects (C.J. Strike, Upper and Lower Malad, Hells Canyon, and Swan Falls Projects).

Scoping Document 2 is enclosed for your information. We revised Scoping Document 1, dated June 1997, based on your written comments. Key changes to Scoping Document 1 are identified in italicized, bold type.

We will be issuing an additional information request and responding to pending additional study requests shortly.

You may direct questions to Alan Mitchnick at (202) 219-2926, or John Blair at (202) 219-2845.

Attachment: Scoping Document 2

SCOPING DOCUMENT 2



I. CUMULATIVE ANALYSIS OF THE SNAKE RIVER BASIN

and

II. PROJECT-SPECIFIC ANALYSIS

BLISS PROJECT (P-1975)
LOWER SALMON FALLS PROJECT (P-2061)
UPPER SALMON FALLS PROJECT (P-2777)
SHOSHONE FALLS PROJECT (P-2778)

December 1997

Federal Energy Regulatory Commission
Office of Hydropower Licensing
Washington, D.C.

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Department of Water Resources

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Appendix A. Approaches to cumulative effects analysis in the Snake River Basin
Appendix B. Summary of additional study requests
Appendix C. Description of past, present, and future actions in the Snake River Basin
Appendix D. List of management plans and future activities relevant to the Snake River Basin
Appendix E. Scoping document distribution list

SCOPING DOCUMENT 2

I. CUMULATIVE ANALYSIS OF THE SNAKE RIVER BASIN

II. PROJECT-SPECIFIC ANALYSIS

Bliss (P-1975)
Lower Salmon Falls (P-2061)
Upper Salmon Falls (P-2777)
Shoshone Falls (P-2778)

1.0 INTRODUCTION

On December 20, 1995, Idaho Power Company (Idaho Power) filed license applications with the Federal Energy Regulatory Commission (Commission) for the continued operation and maintenance of the existing Bliss, Lower Salmon Falls, and Upper Salmon Falls Hydroelectric Projects.¹ Idaho Power filed an application for the Shoshone Falls Project on May 29, 1997. These four projects are located within a 57-mile-long reach of the Snake River. Between November 1998 and June 2008, Idaho Power Company is expected to file applications to relicense an additional four projects (7 dams) in the Snake River Basin. The location of the eight projects is shown in figure 1 and summarized in table 1.

The Commission, under the authority of the Federal Power Act (FPA),² may issue licenses for up to 50 years for the construction, operation, and maintenance of non-federal hydroelectric developments.

Under the Commission's regulations, issuing a licensing decision for any project first requires preparation of either an Environmental Assessment (EA) or Environmental Impact Statement (EIS), in accordance with the National Environmental Policy Act (NEPA) of 1969.³

¹ The licenses for the Lower Salmon Falls and Bliss Projects expire on December 23, 1997, and February 28, 1998, respectively. The Commission authorized the advancement of the expiration date of the Upper Salmon Falls Project from May 31, 1999, to November 1, 1998.

² U.S.C. Sect. 791(a)-825(r).

³ Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, §4(h), Sept. 13, 1982.

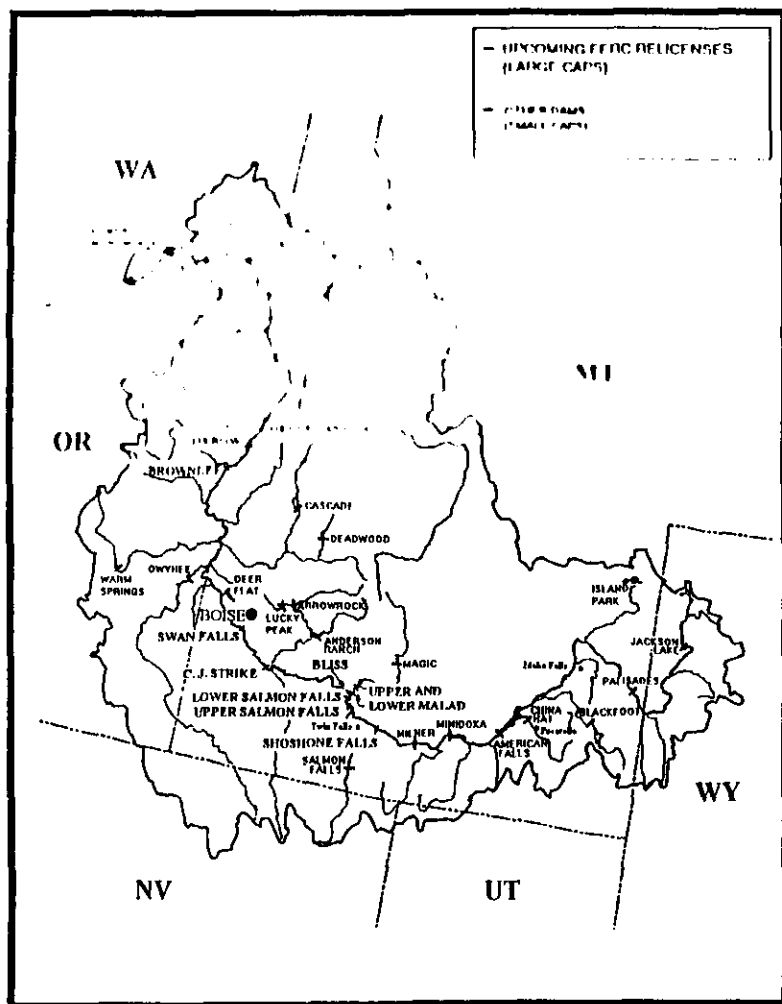


Figure 1. Location of eight Idaho Power Company projects (11 dams) coming up for relicensing in next 15 years along with other selected dams in the Snake River Basin.

Table 1. Description of Idaho Power relicense projects.

Project Name	Location	FERC No.	Expected Filing Date*	Snake River mile
Bliss	mainstem Snake River, about 6 miles west of Bliss, in Gooding, Twin Falls, and Elmore Counties, Idaho	1975	December 1995	560.0
Lower Salmon Falls	mainstem Snake River, about 2 miles north of Hagerman, in Gooding and Twin Falls Counties, Idaho	2061	December 1995	573.0
Upper Salmon Falls	mainstem Snake River, about 3 miles south of Hagerman, in Gooding and Twin Falls Counties, Idaho	2777	December 1995	580.0
Shoshone Falls	mainstem Snake River, about 4 miles east of Twin Falls, in Jerome and Twin Falls Counties, Idaho	2778	May 1997	615.0
C.J. Strike	mainstem Snake River about 20 miles southwest of Mountain Home, in Owyhee County, Idaho	2055	Nov. 1998	494.0
Upper and Lower Malad	Upper Malad development	2726	July 2002	enters the Snake River at river mile 571.5
	Lower Malad development			
Hells Canyon	Brownlee development	1971	July 2003	284.6
	Oxbow development			272.2
	Hells Canyon development			247.0
Swan Falls	mainstem Snake River, about 35 miles south of Boise, Ada and Owyhee Counties, Idaho	503	June 2008	458.0

* Commission regulations require applicants for a new license to file an application at least 2 years prior to expiration of the project license.

We have concluded that issuing licenses for the first four projects would be a major federal action significantly affecting the quality of the human environment--thus we would prepare a multi-project EIS for these four projects.

Approaches to Site-specific and Cumulative Impacts

Evaluating cumulative effects of the Idaho Power projects in the Snake River Basin provides a challenge given that four applications have already been filed and applications for the remaining four projects will be filed during the next 12 years. In developing approaches for assessing cumulative impacts, staff considered the following factors--the timing of the expiration of the licenses, the geographic location of these projects, and the availability of data with which to conduct a cumulative impact assessment.

Because of the substantial interest in relicensing the Snake River projects, staff initially prepared a discussion paper outlining two approaches (approaches A and B), held a public meeting, and solicited comments. Based on the comments, we agreed to delay selection of an approach until after scoping. We also added two additional approaches (approaches C and D) to Scoping Document 1. The four approaches are summarized below. (See appendix A for more detailed information on the approaches.)

Approach A--Staff would prepare a site-specific EIS for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects, which would include a cumulative analysis of all eight Idaho Power relicense projects--but only for resources affected by the first four projects (anadromous fish would be deferred). Separate environmental documents would be prepared for the remaining projects (C.J. Strike, Upper and Lower Malad, Hells Canyon, and Swan Falls Projects) as these applications are filed; additional or revised cumulative analyses would be included as appropriate.

Approach B--Staff would first conduct a basin-wide cumulative analysis for all resources, then proceed with site-specific EIS's tiering off the cumulative analysis. The analysis would stand apart from, but be integrated with, separate and more detailed EIS's covering the project-specific impacts of the projects. The cumulative analysis would be updated as new information is developed.

Approach C--Staff would initiate a basin-wide cumulative analysis for all resources (as in approach B), but would simultaneously begin preparation of the project-specific EIS for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls (as in approach A). Both documents would be issued concurrently. Subsequent environmental documents would tier off of the cumulative analysis.

Approach D--similar to C, but staff would produce separate reports for certain key resources.⁴

Scoping Comments

In response to SDI, we received six recommendations on the approach (see Section 2.2). Idaho Department of Fish and Game recommended approach A, but recommended that we proceed now with multi-project analysis for sturgeon and anadromous fish. The National Marine Fisheries Service prefers approach B. Idaho Power recommends approach C because it believes that this approach best addresses its concern with the potential for extensive reopeners. The Forest Service also recommends approach C, but requests that study plans for the Hells Canyon Project that are relevant to the cumulative analysis be identified and deferred until the cumulative analysis is completed. The Environmental Protection Agency supports a combination of approaches A and B by using either approach C or D. American Rivers et al. favors approach D. Interior, although not endorsing a specific approach, recommends that the Commission should begin the cumulative effects analysis now, with initiation of the site-specific analysis for the first four projects.

Although no consensus on the approach was reached during scoping, it is clear that there is little support for any approach that substantially delays consideration of the first four projects and that there is support for beginning a cumulative analysis on the anadromous fish issue now.

Selected Approach

We have selected approach A, along with an initiation of a review of anadromous fish issues involved in the relicensings of the Idaho Power projects.

Using this approach, we would minimize the delays in acting on the first four relicense applications; analyze cumulative effects on the resources affected by these projects; and evaluate projects located close to each other at the same time to the extent possible. Separate reports (or appendices) on certain cumulative issues (e.g., water quality) would be issued simultaneously with the DEIS where appropriate.

We see no need to analyze the anadromous fish issue in detail in the environmental document for the first four projects for the following reasons:

⁴ American Rivers approach contemplates the Commission issuing annual licenses with protection measures in the event the cumulative analysis is delayed. In the past, the Commission has only conditioned annual licenses in extraordinary circumstances.

⁵ The EIS will include a limited analysis of the anadromous fish issue, focusing primarily on the reservation of authority needed to address future anadromous fish passage issues.

- *The relationship between the first four projects and the downstream projects in terms of anadromous fish is limited given the limited storage of these four projects and the downstream obstacles that must be overcome before serious consideration can be given to restoring anadromous fish upstream of Bliss dam*
- *Any unresolved anadromous fish issues (such as future fish passage) at the first four projects can be dealt with through reopeners*
- *Information on anadromous fish for the Hells's Canyon Project is incomplete-- Idaho Power is just initiating its relicensing studies (most won't be complete until 2000-2001)*
- *The Bureau of Reclamation's Snake River Resources Review, which would provide information that could be used by the Bureau to alter operation of its projects--and thus could significantly affect the timing and quantity of flows in the project reaches--won't be completed until 2000*
- *The National Marine Fisheries Service's existing Biological Opinion on endangered Snake River salmon species will be reissued after 1998*

Although we do not plan to initiate a cumulative analysis of anadromous fish at this time, we do not plan to ignore the anadromous fish issue. We will initiate a preliminary review of the anadromous fish issues associated with the relicensing of the Idaho Power projects. Given the great regional interest and the expected controversy in this issue, getting an early start evaluating the anadromous fish issue would be prudent. Our early involvement will allow us to: evaluate information and study needs; coordinate with the collaborative team and with the Bureau of Reclamation's Snake River resources review; and develop analytical tools earlier in the process. This effort will compliment and be coordinated with the Commission's discussions with the National Marine Fisheries Service on the impacts of the Hells Canyon Project on listed salmon species.⁶

Concerning reopeners, we have determined that the need for reopeners to address unresolved issues for the first four projects would be limited. Based on a review of scoping comments and our preliminary analysis, potential reopeners would likely be limited to fish passage questions.

We will hold workshops and work with the Snake River Relicensing Collaborative resource workgroups as necessary to better define issues and develop analytical techniques to

⁶ Letter from James J. Hoecker, Chairman, Federal Energy Regulatory Commission, Washington, D.C., to William Stette, Jr., Regional Administrator, National Marine Fisheries Service, Seattle, Washington, December 3, 1997.

deal with certain issues (such as water quality modeling) for both the cumulative analysis and anadromous fish review.

Questions concerning Snake River relicensing should be directed to Alan Mitchnick, Chief, Lands Review Section, West Branch, FERC, at (202) 219-2826, or John Blair, Snake River Relicensing Environmental Coordinator, FERC, at (202) 219-2845.

2.0 SCOPING

Scoping is the process used to identify issues, concerns, and opportunities associated with a proposed action.

2.1 Purposes of Scoping

The purposes of the scoping process are as follows:

- Invite participation of federal, state, and local agencies, Indian tribes, and other interested persons to identify significant environmental and socioeconomic issues related to the proposed action
- Determine the depth of analysis and significance of issues to be addressed in the EIS
- Identify how the projects would or would not contribute to cumulative impacts to the project area and the Snake River Basin
- Identify reasonable alternatives to the projects that we should evaluate
- Eliminate from detailed study the issues and resources that don't require detailed analysis during review of the projects

We issued Scoping Document 1 (SD1) on June 5, 1997,⁷ to enable appropriate resource agencies, Indian tribes, and other interested parties to more effectively participate in and contribute to the scoping process. In SD1, we requested clarification of preliminary issues concerning the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects and the Cumulative Analysis of the Snake River Basin and identification of any new issues that needed to be addressed in the environmental documents. We revised SD1

⁷ Copies of SD1 were mailed to all entities included in appendix E on June 11, 1997. A notice of intent to prepare an EIS and conduct scoping meetings and a site visit was published in the Federal Register on June 11, 1997 (volume 62, no. 112, pp. 31815-31816), and in local newspapers on July 1, and July 8, 1997.

following the scoping meetings and after reviewing comments filed during the scoping comment period. Scoping Document 2 presents our current view of issues and alternatives to be considered in the EIS. Additions are in bold and italic type.

2.2 Scoping Meetings and Written Comments

We conducted two scoping meetings concerning project-specific impacts associated with the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects--on July 15, 1997, in Twin Falls, Idaho, and on July 17, 1997, in Boise, Idaho. We also held a separate scoping meeting on July 18, 1997, in Boise, Idaho, regarding the cumulative analysis of Idaho Power's eight relicense applications in the Snake River Basin. Announcement of the scoping meetings and site visit was published in local newspapers and in the Federal Register. A court reporter recorded the scoping meetings.

We also held a site visit to the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects on July 16, 1997.

In addition to comments received at the scoping meetings, the following entities filed written comments on scoping document 1:

Entity	Date of Letter
Duane Reynolds	July 6, 1997
Middle Snake River Recreation Work Group	July 13, 1997
Vince Thompson	July 15, 1997
Dana Olson-Elle	July 15, 1997
Magic Valley Fly Fishers	July 16, 1997
Country Club Estates	July 21, 1997
Elmore County Wildlife Club	August 5, 1997
Twin Falls Area Chamber of Commerce	August 11, 1997
Idaho Department of Water Resources	August 14, 1997
Columbia River Inter-Tribal Fish Commission	August 14, 1997
Twin Falls County Parks and Recreation Advisory Commission	August 14, 1997
Environmental Protection Agency	August 14, 1997
American Rivers, Idaho Rivers United, Hells Canyon Preservation Council, Idaho Conservation League, Idaho Wildlife Federation, Friends of the Earth, and Federation of Fly Fishers	August 15, 1997

Entity	Date of Letter
Idaho Power Company	August 15, 1997
Wallowa-Whitman National Forest	August 15, 1997
Idaho Departments of Fish and Game and Parks and Recreation	August 15, 1997
George Coiner	August 15, 1997
Nez Perce Tribal Executive Committee	August 18, 1997
Department of the Interior	September 3, 1997
Oregon Department of Fish and Wildlife	October 23, 1997
National Marine Fisheries Service	November 10, 1997

All comments received are part of the Commission's official file for the projects. Copies of the official file are available through the Records and Information Management System (RIMS) in the Public Reference Room. Copies can also be obtained by writing or faxing (202-208-2320) your request to the Public Reference Room at the following address:

Federal Energy Regulatory Commission
Public Reference & Files Maintenance Branch
888 First Street, NE, Room 2-A
Washington, DC 20426
Attention: Mr. William G. McDermott, Chief

After careful consideration of all scoping input, we've revised SD1. Our responses to comments and any respective changes in the scoping document are shown as bold type. The general concerns raised by participants in the scoping process are summarized below by subject area. The summaries don't include every oral and written comment made during the scoping process. For instance, we have not addressed comments that are recommendations for specific information requests or license conditions. Such comments will be addressed in future additional information requests and in the EIS. We will request final terms, conditions, recommendations, and comments when we issue our Ready for Environmental Analysis notice after all additional information that we may request is filed.

Project-specific Issues

No Action Alternative

Many commenters (Interior, Nez Perce Tribal Executive Committee, American Rivers et al.) disagree with our no-action alternative. They believe that the no-action alternative should be license denial.

The no-action alternative is a difficult concept to apply to relicensing.⁹ Because there could be very serious socioeconomic and environmental impacts from license denial, our position has and continues to be that license denial, which would involve project retirement, is an action alternative; whereas, continued project operation under the terms of the existing license (status quo) is the better fit for the no-action concept in relicensing. The existing conditions represent the results of implementing past resource management decisions, and we agree with the Council on Environmental Quality's (CEQ) interpretation that in such a case, "no action" represents "no change" from current management direction.¹⁰

Baseline

Many entities continue to recommend that the environmental baseline must be the pre-project environment.¹⁰ This issue has been addressed previously (see appendix A).

Project Retirement

EPA and American Rivers et al. recommend that we consider the alternative of project retirement in the project-specific EIS, but provided no specifics as to what project retirement should entail.

Because of the agency comments, we will examine project retirement in the project-specific EIS for the projects, but we do not believe that it's reasonable to look at dam removal. We provide additional support for not evaluating dam removal as a reasonable alternative in Section 3.3.4.

Thousand Springs Project

Interior recommends that the Commission investigate the benefits of removing Idaho Power's unlicensed Thousand Springs Hydroelectric Project, located upstream of the Upper Salmon Falls Project. This project is not under the Commission's jurisdiction, and thus the Commission has no authority to remove this project.

⁹ For a detailed discussion of this issue, see *Public Service Company of New Hampshire* Order granting application for a new license, 68 FERC ¶61,177 (August 1, 1994).

⁹ Council on Environmental Quality, *Forty Most Asked Questions Concerning CEQ's National Environmental Policy Act Regulations* (40 CFR 1500-1508), printed in *Federal Register* volume 46, no. 35, pp. 18026-18038, March 23, 1981.

¹⁰ The Commission's policy on baseline is found in the following two orders for the Cushman Project (FERC No. 460): (1) Declaratory order on nature of proceeding on application for a subsequent license after a minor part license expires, 67 FERC ¶61,152 (May 4, 1994); and (2) Order granting intervention and denying rehearing, 71 FERC ¶61,381 (June 22, 1995).

Economic Evaluation of Non-power Resources

EPA and American Rivers et al. recommend including an economic evaluation of non-power resources for comparison with the value of project power. We consider this recommendation to be directed towards our methods of analyses and outside the issue-identification purposes of this scoping document. We would, however, include the economic value of environmental resources in our analyses, if we can reasonably determine what they are, and if this information would help us decide what level of enhancement to recommend.

Cumulative Issues

Non-FERC-jurisdictional Upper Basin Projects

The Columbia River Inter-Tribal Fish Commission commented that we should evaluate various alternative operational and structural configurations of non-jurisdictional hydroelectric and non-hydroelectric developments, including those of the Bureau of Reclamation and U.S. Army Corps of Engineers in the upper basin, in order to provide augmented flows for anadromous fish:

The EIS should provide alternatives that assure the timely passage of upper Snake irrigation water through all dams in the upper Snake Basin so that water can be delivered to best benefit anadromous fish production needs downstream of the projects...FERC should also identify alternatives that address the basin-wide modifications of federal and private dam operations to determine how flows for anadromous fish production can be provided.

American Rivers et al. (Conservation Groups) "state:

The Conservation Groups believe that a rigorous analysis of existing water management above Milner Dam and in the major tributaries is required to determine how water management can be improved to reduce the environmental impacts caused by the lethal combination of low flows and hydroelectric dams, and to determine if there are opportunities for Idaho Power to increase flows through water acquisition or rental...the Conservation Groups recommend that FERC consult closely with the Bureau of Reclamation and the Idaho Department of Water Resources, to ensure that all relevant information is considered and potential flow improvement measures identified.

The Federal Power Act only provides the Commission with the exclusive authority to issue and condition licenses for nonfederal hydropower projects on navigable waterways and federal lands. The Commission does not have authority to issue and condition licenses for non-hydropower projects, any federally operated project, or non-federal hydropower projects on unnavigable waters. Accordingly, the Commission does not have the authority to direct

the actions of many projects in the Snake River Basin, including projects owned and operated by the Bureau of Reclamation and the U.S. Army Corps of Engineers and all non-hydropower projects. Therefore, we will not assume the role of lead agency in developing, analyzing, and directing alternative structural and/or operational configurations of non-jurisdictional projects in the Snake River Basin.

We will, however, evaluate how the eight Idaho Power projects could be operated to be consistent with all relevant federal or state comprehensive plans for improving, developing, or conserving the waters of the Snake River Basin, including plans for augmenting flows for anadromous fish. In addition, we will evaluate how the operation of the Idaho Power projects could be modified to be consistent with management plans of the Bureau of Reclamation, the Snake River Project, and the Snake River Basin. We will also evaluate how the operation of the Idaho Power projects could be modified to be consistent with management plans and policies of the Idaho Department of Water Resources, the Idaho Department of Fish and Game, and the Idaho Department of Parks and Recreation.

Basin-wide Flow Augmentation

Idaho Department of Water Resources comments that the flow augmentation process is not intended to impose a reallocation of water in ways that interfere with proprietary water rights."

Idaho Departments of Fish and Game and Recreation and Parks commented that the Commission "intended to examine the effects of all salmon-related flow augmentation actions throughout the Snake River Basin whether or not the flow augmentation was related to the relicensing of the Idaho Power projects."

Our evaluation of flow augmentation will be limited to evaluating how flow augmentation would change baseline conditions in the Idaho Power reach; how Idaho Power projects could be coordinated with the flow augmentation; what changes are needed at the Idaho Power projects; and the effects of these changes on economic and environmental resources.

Watershed Analysis

The Forest Service requests that a watershed analysis be conducted for the Hells Canyon Project and that riparian/wetland habitat, bald eagles, peregrine falcons, MacFarlane's four-o'clock, and native grassland and shrubs be evaluated at the 5th field hydrologic unit. The Forest Service suggests that a watershed analysis is a necessary part of the cumulative analysis.

The Forest Service's request for a watershed analysis for all of these resources focuses on the Hells Canyon Project area--thus we will defer consideration of a watershed analysis. Our cumulative effects analysis for MacFarlane's four-o'clock will be addressed in

the EIS prepared for Hells Canyon because of this species' restricted distribution in the Snake River to a portion of Hell's Canyon.

3.0 IDAHO POWER RELICENSES AND ALTERNATIVES

3.1 Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects

The Bliss Project, built in 1941, involves 183.95 acres of Bureau of Land Management (BLM) land. The Lower Salmon Falls Project, built in 1910 involves 29.2 acres of BLM land and 58.06 acres of National Park Service (NPS) land (Hagerman Fossil Beds National Monument). The Upper Salmon Project, built in 1910, doesn't involve any federal lands. The location of the three projects is shown in figure 2.

3.1.1 Project Facilities

The Bliss Project (figure 3) consists of:

- A 364-foot-long, 38-foot-high concrete gravity dam and 216-foot-long spillway
- A 5-mile-long, 255-acre reservoir at elevation 2,654.0 feet above mean sea level (msl), with a total storage capacity of 11,100 acre-feet
- A powerhouse (integral with the dam) with a total capacity of 75 megawatts (MW), producing about 493 gigawatt-hours (GWh) annually
- A 10.5-mile-long, 138-kilovolt (kV) primary transmission line

The Lower Salmon Falls Project (figure 4) consists of:

- A 700-foot-long, 38-foot-high dam, consisting of a 31-foot-long powerhouse section, a 97-foot-long concrete bulkhead section, which includes an intake to the fish ladder; a 312-foot-long gated spillway section; a 180-foot-long overflow dam section, and an 80-foot-long left (west) abutment
- A 6.6-mile-long, 750-acre reservoir at elevation 2,798.0 feet msl, with a total storage capacity of 10,900 acre-feet
- A powerhouse with a total capacity of 60 MW producing about 343 GWh annually

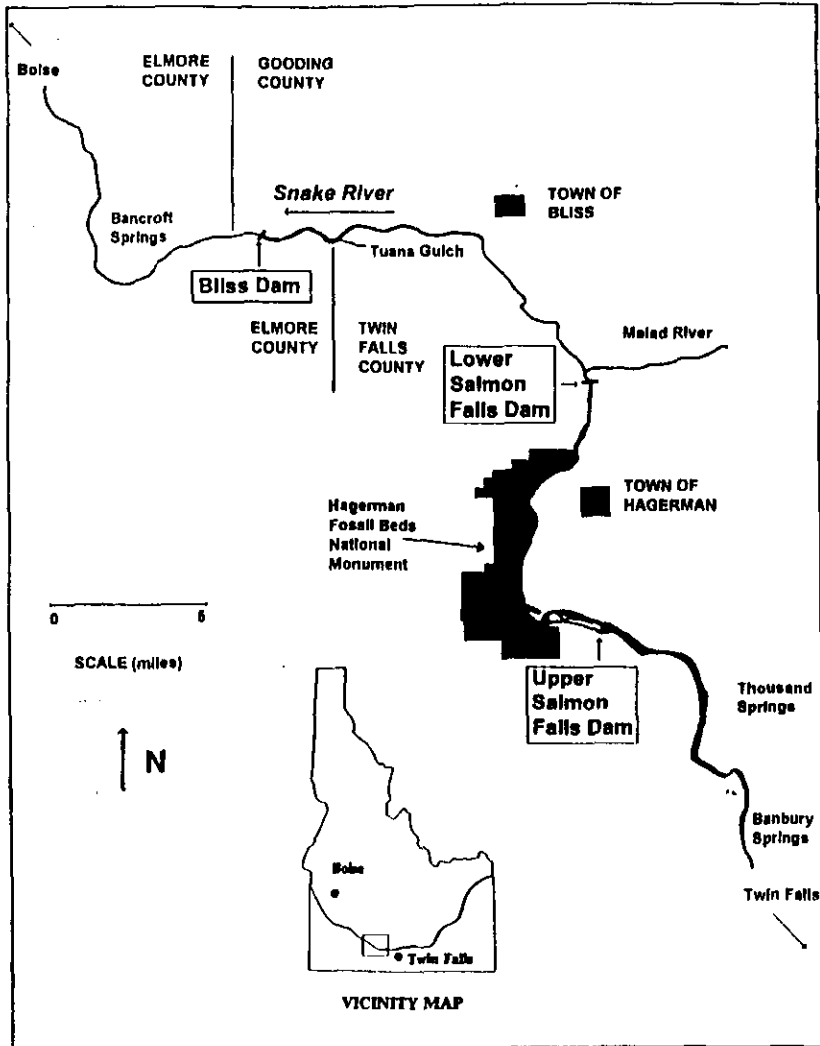


Figure 2. Location of the Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects.

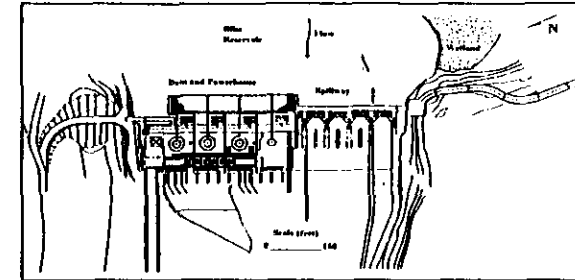


Figure 3. Project facilities for the Bliss Project (Source: Idaho Power, as modified by staff).

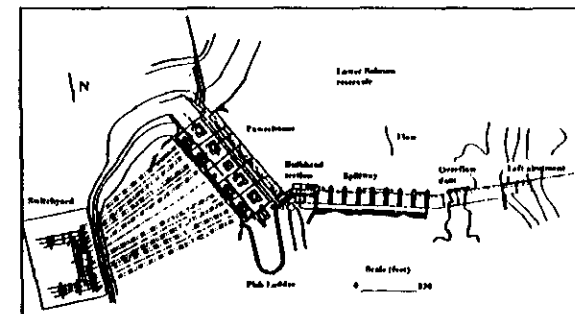


Figure 4. Project facilities for the Lower Salmon Falls Project (Source: Idaho Power, as modified by staff).

- Two 138-kV primary transmission lines (0.10- and 0.15-mile-long) from the switchyard to the King substation

The Upper Salmon Falls Project (figure 5) consists of:

- A 1,620-foot-long, 14-foot-high concrete dam, consisting of a 240-foot-long gated spillway section; a 610-foot-long gravity dam with flashboards; a 275-foot-long intake structure; and a 420-foot-long abutment gravity section
- A 5.8-mile-long, 50-acre reservoir at elevation 2,878.2 feet msl, with a total storage capacity of 600 acre-feet

U.S. Department of Justice and Department of Education

Water Quality and Chemistry

- Adopt and fully implement the Middle Snake River *Watershed* Management Plan
- Monitor water temperature and dissolved oxygen in powerhouse releases from June 15 through October 15

Aquatic Resources

- Establish a sport fishery in the reservoir by annually stocking 2,500 catchable-sized trout

Terrestrial Resources

- **Develop artificial wetlands at the LQ and LS Drains**

Aesthetic Resources

- Assure a minimum flow over the falls of 300 cfs from April 1 through *Labor Day* during daylight hours

Cultural Resources

- Construct signs depicting history of hydropower development in the project area
- Conduct limited data recovery at rock shelters within the project area

Recreational Resources

- Invest \$50,000 toward recreational facility enhancements in the vicinity of the Shoshone Falls Project area
- Match, dollar for dollar, expenditures toward recreational or viewing opportunities in Shoshone Falls Park
- Develop and implement an interpretation and information plan for the public

3.2.4 Additional Study Requests

On June 13, 1997, the Commission issued a notice requesting additional study requests for the Shoshone Falls Project. We received requests for three studies from Idaho Department of Fish and Game (appendix B).

3.3 Alternatives

3.3.1 Staff's Modification to Idaho Power's Proposed Action

We will consider alternative mitigation and enhancement measures not proposed by the applicant. Alternative measures could include recommendations by resource agencies, other organizations, Indian tribes, the general public, or the staff. We will assess the environmental effects of these measures. To the extent that these measures would reduce the power production from the proposed project, we will evaluate the costs and any fossil-fueled-generation contributions to airborne pollution.

Specifically, we will consider recommending that the projects operate run-of-river at all times to reduce environmental impacts associated with wide and/or rapid fluctuations in the project reservoirs and in downstream river sections. Environmental, economic, and operational consequences of this alternative will be evaluated.

We will develop a preferred alternative for the projects based on a balancing of the expected benefits and costs of the proposed action and the recommendations provided by all stakeholders.

3.3.2 Project Retirement (No Dam Removal)

This alternative would involve denial of the relicense application and surrender or termination of the existing license with appropriate conditions. This alternative would involve retaining the dams and reservoirs and disabling or removing equipment used to generate power. Project works would remain in place and could be used for historic or other purposes. This would require the Commission to identify another government agency willing and able to assume regulatory control and supervision of the remaining facilities (such as project dams, lakes, and existing recreational facilities).

3.3.3 No Action

Under the no-action alternative, the projects would continue to operate under the terms and conditions of their existing licenses, and no new environmental protection, mitigation, or enhancement measures would be implemented. We will use this alternative to establish the baseline environmental and economic conditions for comparison with other alternatives.

3.3.4 Alternatives Considered But Eliminated from Detailed Study

At present, we are proposing to eliminate the following alternatives from detailed study in the EIS.

Project Retirement (Dam Removal)

Under this alternative, project retirement would be accomplished by removing one or more of the project dams. This alternative would involve surrender or termination of the existing license or licenses with appropriate conditions. Existing recreation facilities would be operated and maintained by other entities or removed. Project retirements with dam removal would have the following effects.

- *The energy generated by one or more of the projects would be lost. .. Historically, the four projects have produced about 1,267 GWh of electricity per year. If the energy was no longer available, it would have to be replaced by an alternative source of energy with its associated environmental effects (including emissions of air pollutants)*
- *Project-generated employment and project-generated tax revenues would be lost*
- *The environmental enhancements currently proposed by Idaho Power (see sections 3.1.3 and 3.2.3), including preservation of spring habitat and*

recreational enhancements, and any additional enhancement measures required by the Commission, would be foregone

- *Short-term increases in downstream turbidity and sedimentation and temporary increases in noise, dust, exhaust emissions, and traffic in the project vicinity during dam removal activities would result*
- *Loss of over 1,000 acres of flatwater would result if all four projects were removed--the existing recreational benefits attributed to one or more project's reservoirs (water skiing, swimming, boating, fishing) would be lost or substantially reduced, with related economic losses to local communities*
- *Use of existing recreational facilities (picnic areas, restrooms, boat ramps, etc.) operated and maintained by Idaho Power would be lost if not taken over and managed by other entities*
- *The irrigation pump station at Lower Salmon reservoir may be made inoperable*
- *Removal of the dams would increase riverine habitat by as many as 20 miles, benefiting fish, wildlife, and riparian resources; recreational opportunities (rafting, kayaking, fishing) associated with riverine conditions would increase, with related economic benefits to local communities*
- *Cessation of operation would eliminate impacts associated with water-level fluctuations in reservoirs and in downstream reaches, benefiting fish and riparian habitats*
- *Visual benefits would result from removal of project structures and transmission lines*
- *If one or more of the project dams were removed, then improved fish passage and survival would result*

We are not aware of any agency or commenter recommending removal of any or all of the four project dams.

Based on the above, we don't believe dam removal is a reasonable alternative in this case.

Federal Government Takeover

We don't consider federal takeover to be a reasonable alternative. Federal takeover of the project would require congressional approval. While that fact alone wouldn't preclude further consideration of this alternative, there is currently no evidence showing that a federal takeover should be recommended to Congress. No party has suggested that federal takeover would be appropriate and no federal agency has expressed interest in operating the project.

Nonpower License

A nonpower license is a temporary license that the Commission would terminate whenever it determines that another governmental agency will assume regulatory authority and supervision over the lands and facilities covered by the nonpower license. At this point, no agency has suggested a willingness or ability to do so. No party has sought a nonpower license and we have no basis for concluding that the project should no longer be used to produce power. Thus, we don't consider a nonpower license a realistic alternative to relicensing in this circumstance.

3.4 Description of Idaho Power Relicenses with Applications Not Yet Filed

The following is a description of the other Idaho Power projects that will be evaluated in any cumulative analysis.

3.4.1 Upper and Lower Malad Project

The project, built in 1948, is located on the Malad River--the lowermost part of the project is located about 400 feet from the confluence with the Snake River. The project is located adjacent to the Malad Gorge State Park. No federal lands are affected.

The upper development includes:

- A 150-foot-long concrete gravity dam with a maximum height of about 18 feet
- An estimated 10-acre-foot reservoir at elevation 3,013 feet msl
- A 4,600-foot-long concrete flume
- A powerhouse with one unit with a generating capacity of 8,270 kW
- A 0.6-mile, 46-kV transmission line

The lower development includes:

- A 160-foot-long concrete gravity dam with a maximum height of 16 feet
- An estimated 10-acre-foot reservoir at elevation 2,884.3 feet msl
- A 5,450-foot-long concrete flume
- A powerhouse with one unit with a generating capacity of 13,500 kW

The project is operated run-of-river. A minimum flow of 70 cfs is released from each development.

3.4.2 C.J. Strike Project

The project, built in 1951, involves 3,019 acres of BLM land (Snake River Birds of Prey Natural Area). Major facilities include:

- A 3,220-foot-long dam with a maximum height of 115 feet
- A reservoir impounding 32 miles of the Snake River and 7 miles of the Bruneau River, with an area of 7,500 acres and a gross storage of 250,000 acre-feet
- A powerhouse with 3 units with total capacity of 82.8 MW
- Two 138-kV transmission lines spanning a total of 90 miles

The project is operated for peaking generation.

3.4.3 Swan Falls Project

The project, constructed in 1901, involves 211 acres of BLM land within the Birds of Prey Natural Area. A new powerhouse became operational in 1994. Major facilities include:

- A 1,218-foot-long concrete and rockfill dam, consisting of a 440-foot-long spillway section, a 290-foot-long powerhouse section, a 22.5-foot-long intermediate dam section, and a 111.2-foot-long new powerhouse section
- A 900-acre reservoir with a length of 27 miles and gross storage of 4,800 acre-feet at full pool of 2,314 feet msl
- A powerhouse with two units with a total capacity of 25 MW
- A 1.2-mile-long, 138-kV transmission line

The project is operated to reregulate flows from the upstream C.J. Strike Project. A minimum flow of 5,000 cfs is released from April through September and 4,000 cfs from October through March.

3.4.4 Hells Canyon Project

The Hells Canyon Project involves 9,194 acres of federal land administered by the Forest Service (FS) (Payette and Wallowa National Forests and the Hells Canyon National Recreation Area) and the Bureau of Land Management. The Brownlee, Oxbow, and Hells Canyon developments were constructed in 1957, 1958, and 1965, respectively.

The Brownlee development includes:

- A 1,380-foot-long earth and rockfill dam with a maximum height of 395 feet
- A 14,621-acre, 58-mile-long reservoir with a total storage of 1,420,000 acre-feet and usable storage of 975,318 acre-feet at normal maximum elevation of 2077.0 feet msl (minimum elevation of 1976.0 feet msl)
- A powerhouse containing five units with a total generating capacity of 585.4 MW
- About 485 miles of 230-kV and 77.9 miles of 345-kV transmission line

The Oxbow development includes:

- A 945-foot-long earth and rockfill dam with a maximum height of 209 feet
- A 1,150-acre, 12-mile-long reservoir with a total storage of 53,386 acre-feet and usable storage of 11,100 acre-feet at normal maximum elevation of 1805.0 feet msl (minimum elevation of 1795.0 feet msl)
- A powerhouse containing four units with a total generating capacity of 190 MW
- About 75 miles of 230-kV transmission line

The Hells Canyon development includes:

- A 994-foot-long concrete gravity dam with a maximum height of 320 feet
- A 2,412-acre, 25-mile-long reservoir with a total storage of 167,720 acre-feet and usable storage of 23,060 acre-feet at normal maximum elevation of 1688.0 feet msl (minimum elevation of 1678.0 feet msl)

- A powerhouse containing three units with a total generating capacity of 391.5 MW
- 21.9 miles of 69-kV and 37.9 miles of 230-kV transmission line
- A fish trap

The three developments are operated in close coordination. Brownlee drives the operation of the entire complex. Brownlee is normally operated to meet daily load shaping. Oxbow is closely coordinated with the operation of the upstream Brownlee plant, and typically functions as a reregulating dam. Hells Canyon typically follows the general daily load shape. The project is also operated for navigation, flood control, and anadromous fish protection. Operation is subject to the 1980 Hells Canyon Settlement Agreement concerning anadromous fish mitigation.¹¹

4.0 CUMULATIVE ENVIRONMENTAL ISSUES

According to the Council on Environmental Quality's Regulations for implementing NEPA (50 CFR §1508.7), an action may cause cumulative impacts on the environment if its impacts overlap in space and/or time with the impacts of other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time, including hydropower and other land and water development activities.

Site-specific analyses have the potential to overlook the big picture. For some resources, it may be necessary to look at more than one Idaho Power project or other actions in the basin to understand the relationship between unrelated actions or to develop a comprehensive solution to an existing resource problem. Examples that illustrate the importance of a cumulative look are presented in the box below.

Evaluating cumulative impacts is an iterative process. Issues will be refined based on preliminary analyses and new information. Further workshops will be needed to better develop issues and analyses.

¹¹ Order approving uncontested offer of settlement, February 27, 1980, 10 FERC ¶ 61,190.

BENEFITS OF CUMULATIVE LOOK

Comprehensive solution--In some cases a solution to a resource problem may depend on more than one project. For example, the need for fish passage at an upstream dam may be contingent upon passage at a downstream dam; creation of a multi-day boating trip may require facilities at more than one project; and wildlife enhancement at more than one project may be more effective if lumped together into one larger parcel.

Additive effects--Multiple activities can affect common resources. Adding the impacts or enhancement measures can give an idea of how the activities collectively impact a resource or contribute to meeting management goals for that resource.

Interactions between actions--It is important to look at the interactions of actions. For example, changes in flow at upstream projects may have positive or negative effects at lower projects; and improvement in water quality at upstream projects may eliminate the need for improvement measures at downstream projects.

Tradeoffs--There may be multiple solutions to issues in a basin. A cumulative look can aid in reaching the most effective solution to a resource issue in the basin. For example, a need for one recreational access point may be more cost-effective or desirable at a particular project rather than at any of the other projects.

4.1 Description of the Snake River Basin

The Snake River, the largest tributary of the Columbia River, flows over 1,000 miles from its origin in Yellowstone National Park (elevation 9,840 feet msl) to its confluence with the Columbia River (elevation 340 feet msl). The Snake River flows through much of Idaho and parts of Wyoming, Utah, Nevada, Oregon, and Washington (figure 2). The river drains 109,000 square miles and transports an average of 37 million acre-feet of water each year.

4.2 Evaluating Cumulative Effects

4.2.1 Identifying Cumulatively Affected Resources

Resources are selected based on:

- Whether the resource has been cumulatively affected or is likely to be affected by multiple projects or other activities in the basin
- The economic, ecological, recreational, and *cultural* value of the resource
- The national, regional, or local significance of the resource
- The degree of agency/public concern
- Basin-wide management plans

The goal is to narrow the scope by eliminating resources that are not relevant to the proposed actions or the eventual licensing decisions or if issues can be adequately addressed at the project-specific level (i.e., no need for a multi-project or comprehensive solution is needed). Resources are also eliminated if the potential cumulative effects or benefits are likely to be inconsequential.

The resources we selected to be included in a cumulative analysis are found in section 4.3.

4.2.2 Determining Geographic Scope

The geographic scope defines the physical limits or boundaries of the proposed actions' effects (positive and negative) on a resource. The scope will be based on how the projects interact with, affect, or are affected by other hydropower and non-hydropower activities in the basin. If the scope is too narrow, opportunities for resource mitigation or enhancement or the status or importance of the resource can be missed; if the scope is too broad, licensing decisions can be confounded by impact issues beyond the Commission's control. Not every resource will have the same geographic scope or emphasis.

Our analysis will generally focus on the mainstem Snake River roughly from Milner dam to the confluence with the Lower Granite reservoir ("affected reach") because:

- The reach physically includes the area of the eight Idaho Power relicense projects
- The reach includes the zone of effect of the eight projects, including the downstream effects of storage at the Hells Canyon Project
- This is the segment where the Commission, through its licensing authority, can actually do something
- Flows below Milner dam are typically reduced to about 200 cfs and are replenished downstream as a result of significant spring flows, irrigation return flows, and tributary inflow¹²

We will also be looking at upstream and downstream activities, but in less detail. For example, the effect of existing and future upstream flow regulation, both diversions and storage, on flow-dependent resources (water quality, fish habitat, riparian habitat, etc.) in the affected reach will be considered. Where necessary to understand the context of the resource

¹²

The 1993 Idaho State Comprehensive Water Plan recognizes that the exercise of water rights above Milner dam has and may reduce flow at the dam to 0 cfs.

in the basin, the discussion of historic impacts will be broader (e.g., the discussion of the loss of riparian habitat will include the entire basin *and the loss of or blockage of access to fish habitats of key species, including white sturgeon, salmon, and steelhead, will extend to the Snake River tributaries to the extent of the particular species' historical range*).

For anadromous fish, the downstream scope will be *extended to the mouth of the Snake River*, to include efforts to improve salmon passage at the Corps of Engineer's lower Snake River projects.

One resource will have more localized scope:

Mollusc habitat—the area of examination will encompass the Snake River Basin from Banbury Springs to *Grandview*. This scope corresponds to the scope of the U.S. Fish and Wildlife Service recovery plan.

4.2.3 Determining Temporal Scope

The temporal scope defines the time limits or boundaries that will be considered in the analysis and will include past, present, and future actions and their effects on each resource that could be cumulatively affected. We will look at past impacts that have occurred to the degree that information is available and necessary in establishing the value or uniqueness of the resource. Is the resource increasing, decreasing, or stable? Is pre-project information needed to understand the continuing impacts on a resource and establish reasonable mitigation and enhancement measures? To determine how far to look in the future, we evaluate how long project-specific effects will last and time frames for future reasonably foreseeable actions.

For the purposes of our analysis, the temporal scope will look about 45 years into the future (through a potential 30-year new license term for the Swan Falls Project), concentrating on the effect on the resources from these reasonably foreseeable future actions.

4.2.4 Determining Actions to Include in the Analysis

Past and ongoing actions in the basin include: construction of dams and reservoirs for hydropower, irrigation, and flood control; irrigation, industrial, and municipal water diversions and discharges; agricultural development; grazing; logging; aquaculture; and recreational development (see appendix C).

Past activities that have affected or will likely affect the cumulative resource of concern will be incorporated into the analysis. Understanding past actions and their effects on resources can be important to understanding the consequences of future actions. The effects of past and present activities are reflected in the existing environment and provide a context for determining the value and importance of the resource and the potential for cumulative impacts.

For future actions, we will look at those actions that will potentially affect the cumulative resources and that are within the selected geographic boundary or time frames. Speculative or undefined future actions will be excluded.

A description of ongoing and future activities within the Snake River Basin is found in appendix C. The primary future actions that could potentially affect the relicensing of the Idaho Power Projects include:

- BR's Snake River Resources Review
- National Marine Fisheries Service's (NMFS's) Biological Opinion on Operation of the Federal Power System and future opinions
- NMFS's proposed recovery plan for Snake River salmon
- Northwest Power Planning Council's Columbia River Basin Fish and Wildlife Program
- FS's and BLM's Interior Columbia Basin Ecosystem Management Project
- Idaho's total daily maximum load plans for the middle Snake River

A list of plans on file with the Commission is found in appendix D.

4.3 Cumulative Effects Resources/Issues

The key cumulative effects issues for the Snake River basin are summarized in table 2.

Based on our preliminary review of Idaho Power's license applications, comments received from agencies and other interested groups, input from the Snake River Relicensing Collaborative Team's resource work groups, and preliminary staff analysis, we've tentatively identified the resources/issues listed below as being potentially cumulatively affected (positively or negatively) by the Idaho Power relicense projects in combination with other hydropower and non-hydropower activities in the Snake River Basin. *Based on the criteria outlined in figure 8, we refined the list of resources and issues (described below) that will be included in our cumulative analysis.*

For each resource, we discuss the specific cumulative resource issues involved and the relationship to the Idaho Power relicenses. *All the issues described below, with the exception of the anadromous fish issue, will be evaluated as part of the EIS for the first four projects. Anadromous fish and MacFarlane's four-o'clock will be deferred until future environmental documents.*

Table 2. Key cumulative effects issues in the Snake River Basin.*			
Issues	Cause	Resources Affected	Effects
Degradation of water quality	flow modifications, agricultural development, urbanization, hydroelectric development, industrial development, impoundments, municipal waste, flood control, mining, forestry, aquaculture, habitat conversion	anadromous fish, native resident fish (includes white sturgeon, bull trout, and redband trout), listed snails, benthic invertebrates, amphibians, bald eagle, aquatic furbearers, aquatic birds, contact recreation, aesthetics	reduced habitat quality; nuisance aquatic plant growth; reduced visual quality and recreational experience
Flow modification (timing and volume)	timing: hydroelectric development, flow augmentation, flood control, dam operations, irrigation (diversions, pumping, and return flows) volume: hydroelectric development, irrigation, municipal water consumption, agricultural development, aquaculture, mining, impoundments	anadromous fish spawning and rearing habitat, native resident fish (includes white sturgeon, bull trout, and redband trout), listed snails, riparian vegetation, riparian vegetation, recreational use, aesthetics, cultural resources	habitat loss; unsuitable water temperature; alteration of sediment transport, resulting in the loss of spawning habitat and loss of sand and gravel bar recruitment; and diminished aesthetic quality
Aquatic habitat loss, alteration, and fragmentation	habitat loss: channelization, levee construction, irrigation, impoundments, mining, logging, removal of riparian vegetation, road construction, clearing of stream channels, irrigation return waters, urbanization fragmentation: creation of barriers (dams, water quality barriers)	anadromous fish, native resident fish (includes white sturgeon, bull trout, and redband trout), listed snails, riparian vegetation	direct habitat loss: loss of habitat for spawning, rearing, and migration resulting from reduced water velocities; accumulation of sediments; poor water quality; loss of wetlands and riparian vegetation; increased competition from exotic species fragmentation: genetic isolation, isolation from critical life stage habitats, loss of metapopulation structure, increased susceptibility to local extinctions or extirpation

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Table 2 (cont.). Key cumulative effects issues in the Snake River Basin.			
Issues	Cause	Resources Affected	Effects
Loss of anadromous ecosystem	hydroelectric development, irrigation, flood control, and other factors	juvenile anadromous salmonids, other resident fish species, black bear, aquatic furbearers, eagles, insects, aquatic plants, riparian plants	loss of nutrient source for fish and invertebrates and wildlife food supply provided by salmon carcasses
Riparian/wetland habitat loss, alteration, and fragmentation	irrigation/water diversions, urbanization, hydroelectric power generation, industrial development, impoundments, flood control, mining, habitat conversion, grazing, recreational use	anadromous and resident fish, native/rare plant communities, seeps, springs, island habitats, bald eagles, aquatic furbearers, birds, insects, big game thermal cover, neotropical migrants	habitat loss: declines in abundance of wetland and riparian habitats, noxious weed infestations, decreased biodiversity and productivity fragmentation: isolation from critical life stage habitats, loss of metapopulation structure, increased susceptibility to local extinctions or extirpation, decreased biodiversity and productivity
Native grassland and shrubland loss, alteration, and fragmentation	agricultural development, industrial development, impoundments, mining, habitat conversion, grazing, roads, transmission lines, recreational use	native/rare plant communities, big game foraging and wintering habitat, birds, and small mammal habitat	habitat loss: declines in abundance of upland habitats and associated wildlife species, noxious weed infestations, decreased biodiversity and productivity fragmentation: isolation from critical life stage habitats, loss of metapopulation structure, increased susceptibility to local extinctions or extirpation, decreased biodiversity and productivity

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* Based on input from the Snake River Relicensing Collaborative's Resource Work Groups.

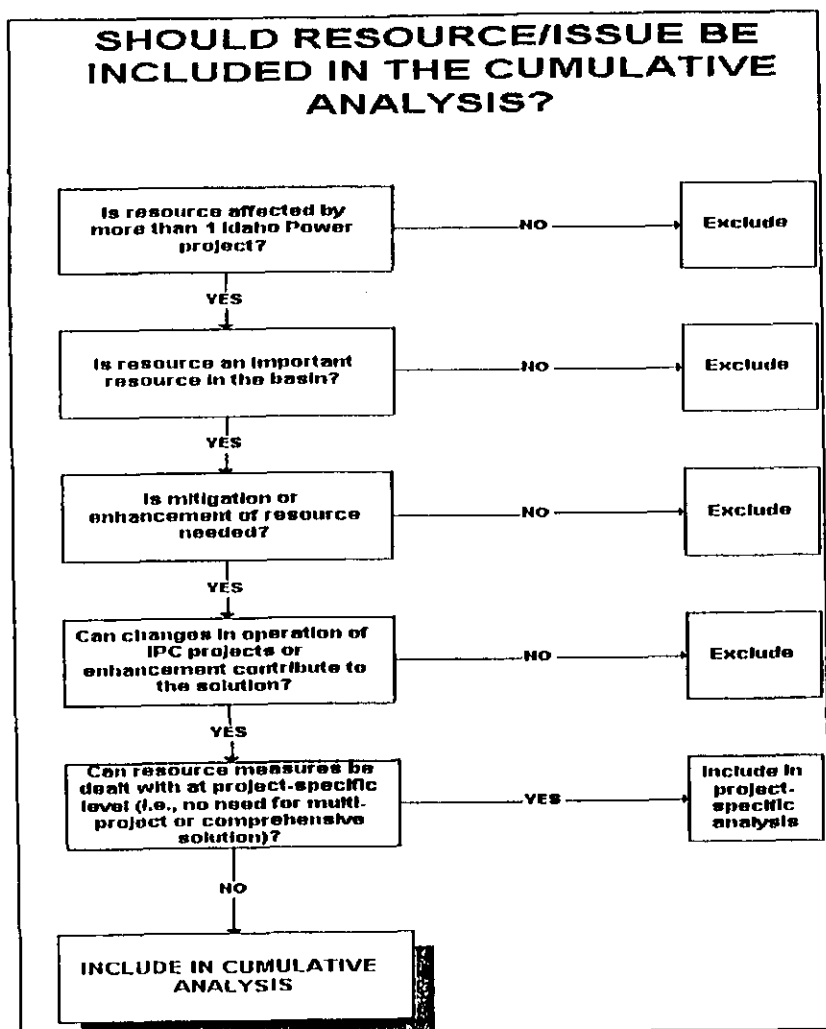


Figure 8. Steps in determining whether to include resources or issues in the cumulative analysis.

4.3.1 Water Quality

- Effects of degraded water quality (*including macrophyte growth*) on fish, snails, aquatic dependant wildlife, aesthetics, and recreation
- How the Idaho Power projects' effects on flow timing and volume contribute to water quality problems (dissolved oxygen, heavy metals and toxic sediment, nutrients, temperature, *total dissolved gases*) in the basin
- How the Idaho Power projects could be operated in combination with other actions in the basin to help meet water quality goals for fish habitat, snail habitat, aesthetics, and recreational use and opportunities
- How operation of the Idaho Power projects could be coordinated with future actions, such as the Middle Snake River Watershed Management Plan and future flow augmentation, to improve water quality or increase flows in the basin

4.3.2 Sediment Transport

- How the Idaho Power projects' effects on flow timing and volume contribute to erosion and sediment deposition and the associated effects on fish habitat, stream bank integrity, island, sand bar and beach formation/loss, cultural resources, and fossil deposits

4.3.3 Resident Fish (white sturgeon, Shoshone sculpin, rainbow trout, bull trout, and redband trout)

- How resident fish are affected by: barriers to upstream and downstream migration (*including habitat fragmentation effects*); project peaking flows and ramping rates; fish entrainment and turbine related mortalities; and water quality
- What measures are needed to protect and enhance resident fish populations (passage, flows, etc.)
- The effects of future changes in the timing and quantity of flow in the basin on resident fish

4.3.4 Anadromous Fish (spring/summer and fall chinook salmon, sockeye salmon, steelhead, and lamprey)¹³

- How the Hells Canyon, Swan Falls, and C.J. Strike Projects could be operated to enhance flows (timing, quantity) for anadromous fish habitat in the Snake River Basin above and below Hells Canyon Dam and for salmon migration
- What factors are preventing the restoration of anadromous fish upstream of Hells Canyon dam (habitat and food availability, water quality, passage, etc.), is upstream restoration feasible, and what measures are necessary at Idaho Power projects (upstream and downstream passage, habitat improvements, flows, etc.) in combination with other measures in the basin, to allow the restoration of anadromous fish
- How the Idaho Power hatchery program would contribute to the efforts to restore anadromous fish in the basin and what modifications may be needed
- How anadromous fish restoration would affect other resources (resident fish, wildlife, insects, and riparian and aquatic plants)
- How operation of Idaho Power Projects could be coordinated with other actions in the basin to provide flows for anadromous fish and improve passage at downstream dams

4.3.5 Federally Listed Aquatic Molluscs (the endangered Idaho springsnail, Utah valvata snail, Snake River physa snail, and Banbury Springs lanx, and the threatened Bliss Rapids snail)

- The effects of instream flows, water quality, and sediment transport on the quality and quantity of aquatic mollusc habitat.
- What changes in operation of the Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects are needed to protect and enhance mollusc habitat
- How operation of the Idaho Power Projects could be coordinated with other actions in the basin, such as the Snake River Aquatic Species Recovery Plan

¹³ As previously discussed, anadromous fish won't be discussed in detail in the EIS for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects, but will be addressed in subsequent environmental documents.

4.3.6 Riparian/Wetland Habitat

- How the Idaho Power projects interact with other activities in the basin to reduce and alter riparian/wetland habitat, seeps, and springs
- The effects of altered flows and reduced and fragmented riparian/wetland habitat on abundance and connectivity of native/rare plant communities, aquatic furbearer habitat, waterfowl nesting cover, thermal cover for big game, and habitat for neotropical migrants and other birds
- The effects of altered flow and reduced and fragmented riparian/wetland habitat on noxious weed infestation
- The effects of future changes in the timing and quantity of flow in the basin on riparian/wetland habitat and the effects on riparian/wetland associated wildlife
- What measures are needed to protect and enhance riparian/wetland habitat

4.3.7 Terrestrial Threatened and Endangered Species

- The effects of altered flows and other activities in the basin on *germination and survival of native cottonwood trees, which are important sources of nest, perch, and roost sites for bald eagles*
- *The effects of icing that results from altered flows and impounded conditions at the reservoirs on available foraging habitat for bald eagles*
- The effects of human disturbances, *including changes in human access patterns and types of human activities associated with the project impoundments, transmission line maintenance, road use, and recreation, on bald eagles, peregrine falcons, and MacFarlane's four-o'clock*¹⁴
- The secondary effects of *project operations (i.e., water quality, fish resources, and avian prey) on forage bases of the bald eagle and peregrine falcon*

¹⁴ As previously discussed, MacFarlane's four-o'clock won't be discussed in detail in the EIS for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects, but will be addressed in the Hells Canyon EIS.

4.3.8 Native Grasslands and Shrublands

- How the Idaho Power projects interact with other activities in the basin to reduce and alter native grassland and shrublands
- The effects of reduced and fragmented native grassland and shrubland habitat on abundance and connectivity of native/rare plant communities, big game winter range and forage, and habitat for birds and small mammals
- How Idaho Power land management practices and policies interact with other basin-wide activities to affect noxious weed infestation in native grassland and shrubland habitats

4.3.9 Recreational Use Patterns

- How changes in reservoir management and flow changes for anadromous fish and other resources could affect recreational use patterns in the basin

4.3.10 Developmental Resources

- The additive effects of environmental enhancement measures on the economics of continuing to operate the projects *and the cost-effectiveness of operational changes designed for non-power benefits*
- How operational changes for environmental purposes affect other developmental purposes, such as flood control
- How changes at Idaho Power's projects, in combination with potential reductions in generation at other hydropower projects throughout the basin, could affect the power resources that serve the region, *and how these effects would affect consumers on a community, county, and Bureau of Economic Analysis area scale*

4.3.11 Air Quality

- Additive effects of reduced generation at the Idaho Power projects on the need for additional alternative sources of generation and the resulting increases in emissions of air pollutants *in the Snake River Basin and, specifically, relative to Forest Service Class I Airsheds (associated with wilderness areas) and other National Forest System Lands*

5.0 PROJECT-SPECIFIC RESOURCE ISSUES

A preliminary list of resource issues and concerns that we have identified for analysis in an EIS is presented below. Those issues identified by an asterisk (*) will be analyzed for cumulative impact, as well as project-specific effects. In analyzing the issues, we will evaluate various measures to mitigate, protect, or enhance the resources. This list is not intended to be exhaustive or final, but is an initial listing of issues that have been raised and could be potentially significant. For convenience, the issues have been grouped by resource categories.

5.1 Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects

We have determined that there are no issues dealing with geology and soils, given the minimal amount of soil disturbance associated with relicensing these projects.

5.1.1 Water Quality

- * Effects of the projects' *operations* on water temperature, dissolved oxygen, nutrient levels, *and sediment transport*
- * *Effects of the projects' operations on algal production and the distribution of nuisance plants and their associated effects on water quality*

5.1.2 Aquatic Resources

- * *Effects of project operations on aquatic invertebrates in riverine and reservoir sections*
- * Effects of entrainment and turbine mortality on white sturgeon and other resident fish at the three projects
- * Effects of the project dams on the movement of migratory and non-migratory fish species
- Effects of project-induced water level fluctuations from load-following operations on habitat for aquatic resources in the project reservoirs and downstream of each project
- Effects of instream flows on the quantity and quality of aquatic habitat for fish and other aquatic resources in the Dolman Rapids *and North Channel* bypassed reaches of the Upper Salmon Falls Project and downstream of the *Lower Salmon Falls and Bliss* Projects

- Effects of project facilities and operations on the deposition of fine sediments in impounded areas as it relates to fish spawning habitat
- * Effects of project facilities and operations on the supply of and transport of spawning gravel downstream of the project dams
- * *What measures are needed to address the future passage of anadromous fish in the project areas*
- *Whether monitoring is necessary to determine the effects of protection, mitigation, and enhancement measures on fishery resources*
- *Effect of the Bliss Project on the Elmore County Wildlife Club fish-rearing pond*

5.1.3 Terrestrial Resources

- * Effects of project-induced water level fluctuations from load-following operations on riparian and wetland vegetation, both in the impounded and unimpounded areas
 - Do project operations favor the establishment of Russian olive and other non-native species in the riparian zone?
 - How do project-related changes in flow regimes affect regeneration of riparian tree species, specifically cottonwoods?
 - Whether project operations should be modified to benefit riparian habitat structure and function?
- * Whether modifications should be made to Idaho Power's current grazing policies to benefit riparian resources on project lands
- *Effects of project operation and maintenance (e.g. road use and transmission line corridor maintenance) on rare plants and rare plant communities.*
- *Effects of project operation and maintenance on key wildlife species*
- * Adequacy of proposed protection and enhancement measures, including noxious weed control, and whether additional enhancement measures are necessary to benefit upland, riparian, wetland, and spring habitats and the wildlife inhabiting these habitats

- Adequacy of proposed measures to protect rare plants (chatterbox orchid, Torrey's blazingstar) and rare plant communities (water birch, hackberry)

5.1.4 Threatened and Endangered Species

- * Direct and indirect effects of fluctuating water levels from the projects' load-following operations on the federally listed aquatic molluscs: the endangered Idaho springsnail (*Pyrgulopsis idahoensis*), Utah valvata snail (*Valvata utahensis*), Snake River physa snail (*Physa natricina*), and Banbury Springs lanx (undescribed *Lanx*), and the threatened Bliss Rapids snail (*Taylor concha serpenticola*)
- * Effects of instream flows and sediment transport on the quality and quantity of aquatic habitat for federally listed molluscs
- * *Direct and indirect effects of project operation and maintenance (including fluctuating water levels from the projects' load-following operations, transmission line maintenance, and road use) on the federally threatened bald eagle and endangered peregrine falcon*

5.1.5 Aesthetic Resources¹⁵

- Effect on visual resources from Idaho Power's grazing policies for project lands owned by Idaho Power
- Effect of water level fluctuations caused by project operations on the aesthetics of the Bliss, Lower Salmon Falls, and Upper Salmon Falls reservoirs, including shoreline sloughing
- Visual impacts of the Lower Salmon Falls Project facilities and operations as viewed from recreation areas and the Hagerman Fossil Beds National Monument, particularly the proposed visitor center, overlooks, and trails
- Visual impacts of the Upper Salmon Falls Project facilities and operations as viewed from Hagerman Fossil Beds National Monument, particularly the overlooks and trails

¹⁵ The issues "Visual impacts of the Upper Salmon Falls Project facilities and operations as viewed from the picnic area at powerhouse A" and "Visual impacts of the Bliss Project facilities and operations as viewed from recreation sites" were deleted based on discussions at the July 17, 1997, scoping meeting.

- Effect of the flow regime on the aesthetic characteristics of the Upper Salmon Falls Project's bypassed reach

5.1.6 Cultural Resources

- Effects of the projects on archeological and historic sites and what measures are necessary to comply with the National Historic Preservation Act

5.1.7 Recreation and Land Use¹⁶

- Whether Idaho Power should develop a float boat put-in directly downstream of Bliss dam
- *Whether Idaho Power should develop a river access site for recreational boating at the Bancroft Springs area*
- Whether a new take-out site for whitewater boaters on the popular Hagerman (Wiley) Reach of the Snake River is needed as a result of the 1993 Wiley landslide
- * Effects of fluctuating water levels from the projects' load following operations on the erosion of fossils at the Hagerman Fossil Beds National Monument
- Whether Idaho Power should participate in any efforts to establish a recreational trail along the Snake River, and if so, how
- Whether Idaho Power should provide monetary assistance (\$5,000 per year) to the NPS, as proposed, to enhance environmental education and research at the Hagerman Fossil Beds National Monument
- Whether the Dolman Island/Falls area should be granted a "protected" land use designation under Idaho Power's land management plan, as recommended by Idaho Power

5.1.8 Developmental Resources

Some of the proposed environmental enhancement measures would change how the projects are operated, thereby reducing the value of the projects for electric power production. Other measures would require direct expenditures by Idaho Power, increasing the cost of

¹⁶ The issue "Effects of fluctuating water levels from the projects' load following operations on boating and fishing on the reservoirs and in the reaches downstream of the projects" was deleted based on discussion at the July 17, 1997, scoping meeting.

operation and decreasing the cost advantage of the projects compared to other sources of power that could be used to meet the electricity needs of Idaho Power's customers. In the EIS, we would consider how the following would affect project generation or cost:

- Effects of providing minimum continuous flows in the Dolman Rapids reach and downstream of project dams on project generation and the value of project power
- Effects of reducing reservoir water surface fluctuations on load following capabilities and the value of project power
- Effects of funding various studies or providing additional protection and enhancement measures on the cost of project power

5.2 Shoshone Falls Project

5.2.1 Water Quality

- * Effects of the project's operation on water temperature, dissolved oxygen, gas supersaturation, and nutrient levels

5.2.2 Aquatic Resources

- * Effects of the project (water temperature, total dissolved gas levels) on downstream white sturgeon populations between Shoshone Falls and Upper Salmon Falls Projects
- Effects of the project on reservoir fishes and the desirability of stocking the reservoir with trout or other species

5.2.3 Terrestrial Resources

- * Adequacy of proposed protection and enhancement measures and whether additional enhancement measures are necessary to benefit riparian resources and spring habitats and the wildlife inhabiting these habitats

5.2.4 Aesthetic Resources

- Effects of the project's flow regime on the aesthetic characteristics of Shoshone Falls and what flows are necessary to adequately enhance the visual quality of the falls

Description of Approaches

Evaluating cumulative effects of the Idaho Power projects in the Snake River Basin provides a challenge given that four applications have already been filed and applications for the remaining four projects will be filed during the next 12 years. In developing approaches for assessing cumulative impacts, the following factors must be considered--the timing of the expiration of the licenses, the geographic location of these projects, and the availability of data with which to conduct a cumulative impact assessment.

We describe four possible approaches below.

APPENDIX A

APPROACHES TO CUMULATIVE IMPACTS IN SNAKE RIVER BASIN revised June 1997

In December 1996, the staff prepared a discussion paper titled "Approaches to Cumulative Analysis for the Snake River Basin," outlining two possible approaches for evaluating the cumulative effects of relicensing the eight Idaho Power projects.¹ These and other approaches are discussed in detail later in this appendix.

The staff conducted a meeting in Boise, Idaho, on February 4, 1997, to solicit input from federal and state agencies, Indian tribes, non-governmental organizations, the licensee, and the public on the approaches. About 75 people attended the meeting.

At the meeting, representatives of the Snake River Relicensing Collaborative Team commented that they were unable to recommend a specific approach until the range of cumulative effect issues that needs to be addressed is known. They recommended the following steps before deciding on an approach:

- Conduct scoping for the cumulative effects analysis
- Scoping should be done as soon as possible, using the Collaborative Team work groups as technical advisors
- Identify cumulative effects issues for the Middle Snake projects (Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects)
- Develop the approach based on scoping

Idaho Power was hesitant to agree to a particular approach until they know the scope of the issues that may require reopeners.

Following the meeting, written comments were received from the following entities:

Entity	Date of Letter
Idaho Wildlife Federation	March 5, 1997
Oregon Department of Fish and Wildlife	March 5, 1997

¹ Copies of the discussion paper are available from Alan Mitchnick at (202) 219-2826.

These analyses would build upon or tier¹ off the previous analyses. Additional resources that could be cumulatively affected would be evaluated as necessary and multi-project issues would be expanded and updated. Ultimately, the series of analyses would represent a comprehensive evaluation of cumulative impacts of the Idaho Power relicense projects.

Approach B

This approach would involve the preparation of one basin-wide cumulative effects analysis for the area of effect of all the Idaho Power relicense projects before any project-specific assessments are begun. The cumulative analysis would also be used to determine the appropriate groupings for processing the individual projects and the resources that...

Wallowa County Court	March 5, 1997
Environmental Protection Agency	March 5, 1997
Shoshone-Bannock Tribes	March 5, 1997
Columbia Inter-Tribal Fish Commission	March 5, 1997
American River/Idaho Rivers United	March 5, 1997
Department of the Interior	March 5, 1997
Middle Snake Regional Water Resource Commission	March 5, 1997
Idaho Power Company	March 6, 1997
Idaho Department of Environmental Quality	March 6, 1997
Nez Perce Tribal Executive Committee	March 6, 1997
National Marine Fisheries Service	March 21, 1997

Summary of Comments Received on the Approaches

We've summarized the written comments below, followed by our response to the comments in *italics*.

General Comments

(1) Many commentors supported the collaborative teams recommendations.

We agree that scoping would provide a better information base on which to determine an approach. Accordingly, we will conduct scoping on both the project-specific issues associated with the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects and the basin-wide cumulative issues prior to deciding on the approach.

(2) Many of the commentors, although not endorsing a particular approach, liked the early assessment of the earlier filed applications under approach A and the comprehensive aspects of approach B. Most believed that the project-specific analysis of the first filed application could proceed concurrently with the cumulative analysis.

We developed an additional approach that takes into consideration many of the comments (see approach C below).

(3) American Rivers/Idaho Rivers United was the only commentor that provided an alternative approach for the Commission's consideration. They recommend that cumulative impacts be analyzed in a series of individual, stand-alone studies addressing specific resources. This approach is supported by Oregon Department of Fish and Wildlife.

We will further explore this approach (see approach D below).

(4) Many of the comments were based on incorrect understanding of the two approaches.

(4a) Many commented that they believed that the cumulative analysis under approach A would only look at cumulative effects of the projects being evaluated in multi- or single project documents and would ignore the effects of the later filed applications. Thus, they believe that the analysis is project based and not basin wide.

This approach would require the cumulative analysis to be completed before any project-specific analysis is completed.

basin (as in approach B), but, instead of waiting until the cumulative assessment is complete, we would concurrently prepare a project-specific, multi-project EIS for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects (as we would in approach A). Subsequent NEPA documents would tier off of the cumulative analysis. This approach allows us to move forward with the first four projects concurrently with a cumulative effects analysis.

Approach D

The following are selected excerpts from the American Rivers and Idaho Rivers United proposal.⁴

Cumulative impacts would be analyzed in a series of individual, stand-alone studies addressing specific resources that are or may be affected by cumulative impacts.

The individual cumulative impact studies would form the basis for the evaluation of cumulative impacts in each project-specific NEPA document. In other words, the project-specific NEPA documents would tier to or incorporate only relevant individual cumulative impact analyses. The cumulative impact study results, including proposed remedial/protective measures, would then be used to identify specific action alternatives and remedial/protective measures in the project-specific NEPA document.

Each cumulative impact analysis would be designed to identify the causes of resource degradation at a broad spatial scale and over time, and to identify remedial and protective measures to restore and conserve the resource. The studies would identify interactions between Idaho Power's dams and other human activities in the Basin that degrade resources and identify remedial and protective measures at the scale of the analysis (e.g., increase flows by a specified amount, provide passage to potential spawning habitat, restore riparian habitat). Project-specific measures (e.g., the identification of how to provide passage to habitat or how to manage flows at a specific dam) would be analyzed in the project-specific NEPA documents.

Scoping of cumulative impact studies should begin immediately, and studies commence as soon thereafter as possible. The project(s)-specific NEPA documents would go forward as scheduled. If a particular cumulative impacts analysis was not complete in time to prepare a project-specific NEPA document as scheduled, there would be two options. First, if the missing information could substantially alter the alternatives under consideration, the project-specific analyses and final licensing decision would be stayed, and annual licenses would be issued with interim mitigation. If the missing information would not substantially alter the alternatives, then a specific "reopener" would be included in the project license to allow for post-licensing modification.

Comparison of Approaches

The primary difference between approaches A and B is that approach A reviews

define that reserved authority as narrowly and with as much specificity as possible..."

Reopeners create uncertainty for licensees and are not to be used as a substitute for reasoned decision-making. Environmental documents must contain sufficient information to evaluate the environmental and economic consequences of a project. Use of reopeners will not be feasible in all cases.

Conditioning Annual Licenses

project-specific as well as cumulative impacts from the beginning, while approach B focuses on basin-wide cumulative impacts before starting any project-specific documents. Mitigation and enhancement measures could be required at an earlier date under approach A than under approach B.

Approach C incorporates some of the points in approaches A and B. It would allow the project-specific analyses of the earlier filed applications to proceed simultaneously with preparation of a cumulative analysis for the basin.

Approach D is similar to approach C except it envisions separate studies for each resource instead of one document exploring all the cumulatively affected resources.

⁴ See the March 5, 1997, letter from Rob Masonis, American Rivers, 400 East Pine Street, Suite 225, Seattle, Washington 98122. A copy of the complete filing is available from the Commission.

APPENDIX B

SUMMARY OF ADDITIONAL STUDY REQUESTS Bliss (FERC No. 1975), Lower Salmon Falls (FERC No. 2061), Upper Salmon Falls (FERC No. 2777), and Shoshone Falls (FERC No. 2778) Projects			
#	Agency	Study Request	Cross ref.
Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects			
1	FWS	Stream habitat and flow studies related to white sturgeon	13, 22, 28, 36, 64
2	FWS	White sturgeon habitat needs	4, 13, 22-24, 28, 30, 31, 60, 61, 64
3	FWS	Instream flow study downstream of Bliss dam	28, 32, 36, 64
4	FWS	Fish passage for salmon and steelhead and anadromous fish reintroduction feasibility study	2, 12, 23, 30, 35, 60, 66
5	FWS	Analysis of the effects of load following on fish and wildlife and their habitat from upper end of Upper Salmon Falls to upper end of C.J. Strike	8, 14, 22, 27, 28, 61
6	FWS	Sediment and nutrient dynamics	14, 20, 28, 29, 36, 54, 63, 64
7	FWS	Consideration of the Thousand Springs Project's effects on listed species and other terrestrial and aquatic fish and wildlife and their habitats	19, 51, 53
8	FWS	Effects of flow fluctuation on wildlife and their habitats	5, 27
9	FWS	Effects of project construction and operation on wildlife and their habitats--i.e. verification of HEP modeling results	
10	FWS	Habitat evaluation procedures study--effects in scrub-shrub habitat, and comparison of before and after conditions at Upper Salmon Falls	
11	FWS	Accurate valuation of proposed protection, mitigation, and enhancement plans for wildlife--i.e. accurate comparison of HUs lost to project construction to HUs gained from PM&E measures	26
12	FWS	Satisfaction of protection, mitigation, and enhancement needs--i.e. agreement on method to determine type and level of mitigation needed	4, 12, 36, 63-66
13	FWS	Cumulative effects study of serial impoundments on the Snake River on fish and wildlife species in all project areas due to be relicensed in foreseeable future	1, 2, 28, 52-62, 70
14	EPA	Detailed water quality and quantity description	5, 6, 20, 36, 63, 64

B-1

SUMMARY OF ADDITIONAL STUDY REQUESTS Bliss (FERC No. 1975), Lower Salmon Falls (FERC No. 2061), Upper Salmon Falls (FERC No. 2777), and Shoshone Falls (FERC No. 2778) Projects			
#	Agency	Study Request	Cross ref.
15	ECWC	Determine fish stocking at Glenns Ferry to mitigate loss of rearing ponds	
16	IDPR	Hagerman reach river access take-out	19
17	IDPR	Bliss dam river access and recreation use survey below Bliss dam	47
18	IDPR	Suitability analysis of a river access site at Bancroft Springs	48
19	IDPR	Inclusion of the recreation and access facilities at Thousand Springs in the three project license area	7, 46, 51
20	IDEQ	Impacts on nutrient processing and sediment dynamics	6, 14, 29, 36, 54, 55, 63, 64
21	IDEQ	Explanation of water quality analysis methodology and additional data analysis on existing data to explain project impacts on water quality	
22	IDFG	Effects of load following on downstream biological communities--downstream of Lower Salmon Falls Dam and Bliss dam	1, 2, 5, 28, 61
23	IDFG	Improving passage for rainbow trout and white sturgeon	2, 4, 30, 60
24	IDFG	Preventing entrainment for white sturgeon	2, 31
25	IDFG	Detailed wildlife protection and enhancement plan for each parcel proposed by IPC	
26	IDFG	Evaluation of terrestrial habitat units gained through proposed mitigation	11
27	IDFG	Describe and quantify current and future load following operation and their effect on riparian vegetation and associated wildlife	5, 8, 37
28	AR/IRU	Biological effect of load following at Bliss and Lower Salmon Falls--effects on fish and invertebrate communities	1, 2, 3, 5, 6, 13, 22, 61
29	AR/IRU	Effects of flow regulation on sediment transport	6, 20, 36, 54, 63, 64
30	AR/IRU	Fish passage--need and feasibility of passage for white sturgeon, rainbow trout, and other species of interest	2, 4, 23, 60
31	AR/IRU	Fish entrainment	2, 24
32	AR/IRU	Bliss reach IFIM	3, 36, 64
33	AR/IRU	Limiting factors analysis in free-flowing reaches--determine factors limiting cold-water fish production and the role dams play	
34	AR/IRU	Aquatic habitat inventory (pre-project and current)	58

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SUMMARY OF ADDITIONAL STUDY REQUESTS Bliss (FERC No. 1975), Lower Salmon Falls (FERC No. 2061), Upper Salmon Falls (FERC No. 2777), and Shoshone Falls (FERC No. 2778) Projects			
#	Agency	Study Request	Cross ref.
35	AR/IRU	Anadromous fish reintroduction potential	4, 66
36	AR/IRU	Flow augmentation--need and options for additional flows to benefit aquatic systems	1, 3, 6 12, 14 20, 29, 32, 53, 54, 64
37	AR/IRU	Effects of flow regulation on riparian vegetation	5, 8, 27
38	AR/IRU	Site evaluations for wetland construction or restoration and riparian vegetation restoration	72
39	AR/IRU	Wildlife HEP along free-flowing reaches	
40	AR/IRU	Evaluation of opportunities for protecting spring habitats	
41	AR/IRU	Economic and power effects of eliminating load-following at Bliss and Lower Salmon Falls	
42	AR/IRU	Cost evaluation of proposed protection, mitigation, and enhancement measures	
43	AR/IRU	Aesthetic effects of Upper Salmon Falls, Lower Salmon Falls, and Bliss Projects	45
44	AR/IRU	Documentation of attempts to obtain historical records and information regarding pre-construction environmental conditions	
45	NPS	Aesthetic evaluation of the impacts of the three projects	43
46	NPS	Bliss Bridge/Hagerman reach boating access	16, 19
47	NPS	Boating access below Bliss dam	17
48	NPS	Public access to the Snake River across from Bancroft Springs	18
49	NPS	Bell Rapids access on the Lower Salmon Falls reservoir	
50	NPS	Multi-day boating trip potential for the Snake River	
51	NPS	Inclusion of the Thousand Springs Project and area--consider these resources in additional studies of recreation needs and opportunities	7, 19
52	CBFWA	Geomorphology--cumulative project effects on mainstem river geomorphology and resulting effects on ecological processes	13, 64
53	CBFWA	Hydrology--cumulative project effects on mainstem river flow regimes and resulting effects on ecological processes	7, 13, 36, 64
54	CBFWA	Sediment dynamics--cumulative project effects on mainstem river sediment recruitment and transport and resulting effects on biophysical processes	6, 13, 20, 29, 36, 63, 64

SUMMARY OF ADDITIONAL STUDY REQUESTS Bliss (FERC No. 1975), Lower Salmon Falls (FERC No. 2061), Upper Salmon Falls (FERC No. 2777), and Shoshone Falls (FERC No. 2778) Projects			
#	Agency	Study Request	Cross ref.
55	CBFWA	Water quality--cumulative project effects on mainstem river water quality and quantity and resulting effects on biophysical processes	13, 20, 59, 63, 64
56	CBFWA	Fish inventory--characterization of pre- and post-project fish resources and habitat in the mainstem river and cumulative project impacts on resources	13, 59, 64
57	CBFWA	Aquatic invertebrate inventory of the mainstem river from Milner to Lower Granite	13, 59, 64
58	CBFWA	Aquatic habitat inventory--assessment of pre- and post-project habitat conditions in mainstem river from Milner to Lower Granite	13, 34, 59, 64
59	CBFWA	Evaluation of trophic relationships of the mainstem river and adjacent riparian, wetlands, and uplands from Milner to Lower Granite	13, 55-58, 64
60	CBFWA	Fish passage--need and opportunities to provide fish passage at all projects between Hells Canyon and Shoshone Falls	2, 4, 13, 23, 30, 64
61	CBFWA	Assessment of water level fluctuation effects on aquatic species from Shoshone Falls dam to Hells Canyon and at the Malad projects	2, 5, 13, 22, 28, 64
62	CBFWA	Assessment of IPC's anadromous fish mitigation program	13
63	CBFWA	Water quality protection, mitigation, and enhancement--needs and opportunities on mainstem river from Milner to Lower Granite	6, 12, 14, 20, 29, 54, 55
64	CBFWA	Flow related protection, mitigation, and enhancement	1, 2, 3, 6, 12, 14, 20, 29, 32, 36, 52-60
65	CBFWA	Evaluation of options to shape releases from Brownlee reservoir and provide more water to meet instream targets in the lower Snake River	12
66	CBFWA	Anadromous fish reintroduction	4, 12, 35
67	CBFWA	Develop monitoring criteria for assessing ecological health--integrative monitoring protocol for evaluating PM&E measures and river's health	
68	CBFWA	Vegetation inventory, mapping, and assessment--pre- and current-project vegetation along mainstem river from Milner to Lower Granite	
69	CBFWA	Wildlife inventory of all IPC lands from Milner to Lower Granite	
70	CBFWA	Wildlife habitat inventory and assessment--pre- and current-project habitat conditions from Milner to Lower Granite	13
71	CBFWA	Identification and assessment of operation-related wildlife impacts	

SUMMARY OF ADDITIONAL STUDY REQUESTS

Bliss (FERC No. 1975), Lower Salmon Falls (FERC No. 2061),
Upper Salmon Falls (FERC No. 2777), and Shoshone Falls (FERC No. 2778) Projects

#	Agency	Study Request	Cross ref.
72	CBFWA	Wetlands and riparian protection, mitigation, and enhancement needs on all lands between Milner and Lower Granite	38
73	CBFWA	Wildlife protection, mitigation, and enhancement needs on all lands between Milner and Lower Granite	
74	CBFWA	Inventory and analysis of land ownership and use within 1 mile of mainstem and major tributaries from Milner to Lower Granite	
75	CBFWA	Assessment of project-controlled flows and water levels on aquatic recreation	
Shoshone Falls Project			
1	IDFG	Sturgeon population status in the Shoshone Falls Project reach	
2	IDFG	Evaluation of total dissolved gas supersaturation below Shoshone Falls	
3	IDFG	Evaluation of the feasibility of acquisition of Devil's Corral for a fish and wildlife protection, mitigation, or enhancement measure	

Study Requestors:

AR/IRU	American Rivers/Idaho Rivers United (3/19/96)
CBFWA	Columbia Basin Fish and Wildlife Authority (9/23/95; adopted by FWS and AR/IRU)
ECWA	Elmore County Wildlife Club (2/12/96)
EPA	Environmental Protection Agency (3/18/96)
FWS	U.S. Fish and Wildlife Service (3/18/96)
IDEQ	Idaho Department of Environmental Quality (3/19/96)
IDFG	Idaho Department of Fish and Game (3/19/96; 7/28/97)
IDPR	Idaho Department of Parks and Recreation (3/19/96)
NPS	National Park Service (3/19/96)

DESCRIPTION OF PAST, PRESENT, AND FUTURE ACTIONS
IN THE SNAKE RIVER BASIN

C.1 Description of Past and Ongoing Actions in the Snake River Basin

Water Resource Development in the Snake River Basin

There are 23 dams on the mainstem that impound nearly 50 percent of the river. These facilities are described in table C-1.

The Bureau of Reclamation's (BR) projects are largely found in the upper part of the basin. BR operates 21 storage reservoirs in the basin, including four projects on the mainstem (Jackson, Palisades, American Falls, and Minidoka). Hydropower projects operated by BR include Minidoka (Snake River), Palisades (Snake River), Anderson Ranch (South Fork Boise River), Boise River diversion (Boise River), and Black Canyon (Payette River); hydropower at Arrowrock (Boise River), Cascade (North Fork Payette River), American Falls (Snake River), and Island Park (Henry's Fork) is licensed by the Commission.

Idaho Power's projects are located in the middle part of the basin. In addition to the eight relicense projects discussed in this document, Idaho Power operates the American Falls, Milner, Twin Falls, Cascade, Thousand Springs, and Clear Lake Projects--the last two are unlicensed.

The Corps of Engineers' (Corps) projects are found mainly in the lower basin. The Corps operates four projects on the mainstem (Lower Granite, Little Goose, Lower Monumental, and Ice Harbor), along with Lucky Peak (Boise River) and Dworshak (North Fork Clearwater River) reservoirs on tributaries; all these projects have hydropower (hydropower facilities at Lucky Peak are licensed by the Commission).

Including the Idaho Power projects, the Commission has issued 53 licenses and 69 exemptions for projects operating in the Snake River Basin, including 12 projects on the mainstem (see table C-1).

Water resource development in the basin has significantly modified the quantity and timing of flows in the basin. The largest storage facilities, with a total storage capacity of 9.6 million acre-feet, are described in table C-2.

Table C-1. Dams located on the mainstem Snake River, listed in order from upstream to downstream.								
Dam	Owner	FERC Project No.	Year Built	Generating Capacity (megawatts)	Gross Head (feet)	Reservoir length (miles)	Reservoir area (acres)	Snake River mile
Upstream of Idaho Power Relicenses								
Jackson	Bureau of Reclamation	—	1906	none	—	12	25,540	988.9
Palisades	Bureau of Reclamation	—	1957	127.3	244	20 (mainstem) 18 (tributaries)	16,150	901.6
Idaho Falls-upper	City of Idaho Falls	2842	1930	8.0	20	2	100	804.7
Idaho Falls-city	City of Idaho Falls	2842	1913	8.0	21	1	50	798.1
Idaho Falls-lower	City of Idaho Falls	2842	1940	11.0	20	2	100	793.6
Gem State	City of Idaho Falls	2952	1989	22.6	200	4	305	786.8
American Falls	Bureau of Reclamation	2736 ¹	1926 ²	92.3	88	20	56,000	714
Minidoka	Bureau of Reclamation	—	1909	13.6	48	14	11,850	675
Milner	Twin Falls and North Side Canal Companies	2899 ³	1992	59.4	152	22	3,000	639
Twin Falls	Idaho Power Company	18	1935	52.1	142	1	96	618
Idaho Power Relicenses Reach								
Shoshone Falls	Idaho Power Company	2778	1907	12.5	212	1.2	60	615
Upper Salmon Falls	Idaho Power Company	2777	1937	powerhouse A—18.0 powerhouse B—16.5	powerhouse A—44 powerhouse B—36	1	50	581.4
Lower Salmon Falls	Idaho Power Company	2061	1949	60.0	59	6.6	750	572.9
Bliss	Idaho Power Company	1975	1949	75.0	70	5	255	560
C.J. Strike	Idaho Power Company	2055	1952	82.8	88	39	7,500	492
Swan Falls	Idaho Power Company	503	1901 ⁴	25.0	25	27	900	456
Brownlee	Idaho Power Company	1971	1958	585.4	272	60	14,621	285

Table C-1 (cont.). Dams located on the mainstem Snake River, listed in order from upstream to downstream.								
Dam	Owner	FERC Project No.	Year Built	Generating Capacity (megawatts)	Gross Head (feet)	Reservoir length (miles)	Reservoir area (acres)	Snake River mile
Oxbow	Idaho Power Company	1971	1961	190.0	122	12	1,150	273
Hells Canyon	Idaho Power Company	1971	1967	391.5	221	55	15,000	248
Downstream of Idaho Power Relicenses								
Lower Granite	U.S. Army Corps of Engineers	—	1975	810.0	100	43.9	8,900	107.5
Little Goose	U.S. Army Corps of Engineers	—	1970	810.0	98	37.2	10,025	70.3
Lower Monumental	U.S. Army Corps of Engineers	—	1969	810.0	99	28.7	6,600	41.6
Ice Harbor	U.S. Army Corps of Engineers	—	1961	602.9	98	31.9	9,200	9.7

¹ Hydropower projects operated by Idaho Power Company

² Hydropower completed in 1978.

³ Hydropower operated by Idaho Power Company and Milner Dam, Inc.

⁴ New powerhouse completed in 1994.

Water Use

Dominant water uses in the Snake River Basin are:

- **Irrigation diversions**--occur throughout the basin; more than 14 million acre-feet of water is diverted by canals and pumps
- **Hydropower diversions** (non-consumptive)--occur throughout the basin, except the Salmon River Basin; the greatest diversions occur in the lower part of the basin
- **Commercial, domestic, industrial, livestock, and private use**--these uses combined make up about 5 percent of water use in the basin

Land Use

Major land uses in the Snake River include:

- **Agriculture**--about 85 percent of all irrigated agriculture in Idaho occurs in the Snake River plain, totaling over 3 million acres
- **Livestock grazing**--occurs primarily in the central part of the basin
- **Logging**--occurs primarily in the headwaters and Salmon River Basin
- **Mining**--occurs throughout the basin, but usually not in proximity to the mainstem of the Snake River.

The extent and location of agriculture, grazing, and logging can be seen to some degree from land cover/land use patterns (table C-3).

Other Actions

Other ongoing actions in the Snake River Basin include:

- **Aquaculture**--approximately 70 percent of the commercially produced trout in the United States are produced in the 60 to 70 hatcheries that use natural spring water from the north shore of the Snake River near Twin Falls.
- **Agricultural runoff**--occurs throughout the basin except in wilderness and mountainous areas
- **Recreation**--heavy recreational use occurs at the large reservoirs and lakes throughout the basin

Table C-2. Storage facilities (greater than 100,000 acre-feet) located upstream of Hells Canyon dam.

Facility	Stream	Owner ¹	Storage Capacity (thousands of acre-feet)	Year Storage Began
Jackson Lake	Snake River	BR	847	1906
Palisades reservoir	Snake River	BR	1,400	1956
American Falls reservoir	Snake River	BR	1,700	1926
Lake Walcott	Snake River	BR	107	1906
C.J. Strike reservoir	Snake River	Idaho Power	250	1952
Brownlee reservoir	Snake River	Idaho Power	1,469	1958
Hells Canyon	Snake River	Idaho Power	176	1967
Island Park reservoir	Henrys Fork	BR	127	1938
Ririe reservoir	Willow Creek	Corps	100	1975
Blackfoot reservoir	Blackfoot River	BIA	413	1910
Salmon Falls Creek reservoir	Salmon Falls Creek	Salmon River Canal Co.	182	1910
Magic reservoir	Big Wood River	Big Wood Canal Co.	191	1909
Lake Owyhee	Owyhee River	BR	1,122	1933
Anderson Ranch reservoir	South Fork Boise River	BR	464	1945
Arrowrock reservoir	Boise River	BR	286	1917
Lucky Peak Lake	Boise River	Corps	307	1954
Lake Lowell	Boise River	BR	177	1908
Warm Springs reservoir	Malheur River	BR	190	1919
Cascade reservoir	North Fork Payette River	BR	703	1947
Deadwood reservoir	Deadwood River	BR	160	1930

¹ BIA = Bureau of Indian Affairs; BR = Bureau of Reclamation; Corps = U.S. Army Corps of Engineers; Idaho Power = Idaho Power Company.

Table C-3. Dominant land uses in the Snake River Basin, by geographic region.

Land use	Geographic region						
	Headwaters Snake	Upper Snake	Middle Snake-Bolse River	Middle Snake-Powder River	Lower Snake	Salmon River	Clearwater River
agriculture (%)	4.9	31.6	14.6	27.4	50.3	15.8	16.8
range (%)	3.3	48.3	62.2	29.9	20.2	16.5	0.3
forest (%)	86.8	18.1	20.1	41.8	28.1	62.4	82.2



C.2 Planned and Future Actions in the Snake River Basin

Various management plans are being developed that may affect the resources of the Snake River. Of particular importance are plans to secure additional flows from the upper Snake River Basin to improve downstream salmon passage, future plans to restore anadromous fish upstream of Hells Canyon, measures to recover federally listed aquatic snail species, plans to improve water quality in the middle Snake River, plans for groundwater recharge in the Hagerman Valley area, growth of irrigated agriculture in the basin, and the results of ongoing water adjudications in the basin. A preliminary list of management plans, recommendation documents, and potential future actions is found in appendix D. Some of the primary actions in terms of their potential effect on the Idaho Power project areas and other FERC projects are described below.

Primary Basin-wide Actions

Snake River Resources Review--BR is preparing a comprehensive review of the operation of its projects upstream of the Idaho Power projects. Their goal is to develop a single model to guide project operation and enable better management of water and related resources in the Snake River Basin. The review began in 1995 and is expected to be completed in 2000. Any changes in upstream BR projects, such as increased flows, would likely have an effect on the river reaches affected by the Idaho Power relicenses.

NMFS Proposed Recovery Plan for Snake River Salmon--General tasks that could interact with the Idaho Power projects include: providing adequate instream flows to rebuild salmon populations; reducing loss of juvenile fish through flow augmentation and improved water management; reducing loss of listed species associated with poor water quality; and restoring chinook salmon by reintroducing them into historic habitat (one element of the plan concerns the feasibility of reintroducing Snake River fall chinook into native habitat upstream of the Hells Canyon Complex).

NMFS Biological Opinion (BO)--The BO for the federal Columbia River power system calls for BR to secure additional water for flow augmentation after 1998 as may be necessary to further reduce human-caused mortality of endangered salmon in the Snake River. A new BO, which will be issued in 1999, could include a different set of reasonable and prudent measures.

Northwest Power Planning Council's Columbia River Basin Fish and Wildlife Program--The program calls for, among other things, an additional 1,000,000 acre-feet of storage for juvenile salmon migration from the Snake River Basin.

Interior Columbia Basin Ecosystem Management Project--FS and BLM are developing an ecosystem-based strategy for management of lands under their jurisdiction in the Upper Columbia River Basin in Idaho, Montana, Utah, Nevada, Wyoming, and parts of Washington. The strategy will focus on ecosystem health, including its forest, rangeland, and aquatic/riparian, landscape and social/economic components, with emphasis on population viability and sustainability of threatened, endangered, and sensitive species. The draft EIS is due to be issued in 1997. The Idaho Power relicenses affect both FS and BLM lands.

Total Daily Maximum Load (TDML) Plans for the mid-Snake River--TDML plans are required for water quality limited reaches. Phase I plans involve total phosphorous; subsequent plans will consider, among others, sediment and nitrogen reduction. These plans have the potential to significantly improve water quality in the section of the Snake River between Milner dam and King Hill, Idaho, which includes five of the Idaho Power relicenses.

- Idaho Water Resources Board. Idaho state water management plan. January 1992.
- Idaho Water Resources Board. Comprehensive State Water Plan: Snake River: Milner Dam to King Hill. December 10, 1993.*
- Independent Scientific Group. Return to the river: restoration of salmonid fishes in the Columbia River ecosystem. September 10, 1996.
- National Marine Fisheries Service. Proposed recovery plan for Snake River salmon. March 1995.
- National Marine Fisheries Service. Endangered Species Act section 7 consultation biological opinion--reinitiation of consultation on 1994-1998 operation of the Federal Columbia River power system and juvenile transportation program in 1995 and future years. March 1995.
- National Park Service. Hagerman Fossil Beds National Monument--final general management plan/environmental impact statement. July 1996.
- Northwest Power Planning Council. Columbia River basin fish and wildlife program. December 14, 1994; amended December 1, 1995.*
- Northwest Power Planning Council. Protected areas amendments and response to comments. Document 88-22. September 14, 1988.*
- Oregon Department of Fish and Wildlife. Comprehensive plan for production and management of Oregon's anadromous salmon and trout: Part I. General considerations. Portland, Oregon. June 1, 1982. 33 pp.*
- Oregon Department of Fish and Wildlife. Oregon bighorn sheep management plan. Portland, Oregon. November 1986. 17 pp.*
- Oregon Department of Fish and Wildlife. The statewide trout management plan. Portland, Oregon. November 1987. 77 pp.*
- Oregon Department of Fish and Wildlife. Warmwater game fish management plan. Portland, Oregon. August 1987. 60 pp.*
- Oregon Department of Fish and Wildlife. Mule deer plan. Portland, Oregon. 49 pp.
- Oregon Department of Fish and Wildlife. Oregon's elk management plan. Portland, Oregon. July 1992. 63 pp. plus appendix.*
- Oregon Department of Fish and Wildlife. Oregon's black bear management plan, 1993-1998. Portland, Oregon. 33 pp. plus appendices.*
- Oregon Department of Fish and Wildlife. Oregon's cougar management plan, 1993-1998. Portland, Oregon. 31 pp. plus appendices.
- Oregon Department of Fish and Wildlife. Oregon's migratory game bird program strategic management plan. Portland, Oregon. 12 pp. plus appendices.
- Oregon Department of Fish and Wildlife. Oregon wildlife diversity plan. Portland, Oregon.

November 1993. 512 pp.*

- Oregon Department of Fish and Wildlife. Oregon's cougar management plan, 1993-1998. Portland, Oregon. 31 pp. plus appendices.*
- Oregon Department of Fish and Wildlife. Oregon wildlife and commercial fishing codes. Portland, Oregon. 146 pp. plus index.*
- Oregon Department of Fish and Wildlife. Biennial report on the status of wild fish in Oregon. Portland, Oregon. December 1995. 217 pp. plus appendix.*
- Oregon Department of Fish and Wildlife. Comprehensive plan for production and management of Oregon's anadromous salmon and trout: Part III. Steelhead plan. Portland, Oregon. April 26, 1995. 118 pp. plus appendices.*
- Oregon Department of Fish and Wildlife. Wildlife Diversity. Program. Species at risk: Sensitive, threatened, and endangered vertebrates of Oregon. Portland, Oregon. June 1996. No pp.*
- Oregon Department of Fish and Wildlife. The Hells Canyon initiative; restoration of bighorn sheep to Hells Canyon. Draft--April 1997.
- Oregon State Parks and Recreation Division. Statewide comprehensive outdoor recreation plan. August 1983.*
- Pacific States Marine Fisheries Commission. White sturgeon management framework plan. 1992.
- Snake River Basin Water Committee. Water management opportunities within the Snake River basin. July 1994.
- State of Idaho. 1996. Measures to enhance salmon and steelhead migration success during 1996. February 20, 1995.
- U.S. Fish and Wildlife Service. Biological opinion on 1994-1998 salmon flow augmentation. March 1995.
- U.S. Fish and Wildlife Service. Snake River Aquatic Species Recovery Plan. Snake River Basin Office, Ecological Services, Boise, Idaho. December 1995.
- U.S. Fish and Wildlife Service. Recovery plan for the MacFarlane's four-o'clock, *Mirabilis MacFarlanei*. Portland, Oregon. 47 pp. 1985.
- U.S. Fish and Wildlife Service. Pacific coast American peregrine falcon recovery plan. October 12, 1982.
- U.S. Fish and Wildlife Service. Draft programmatic environmental impact statement on impacts of artificial salmon and steelhead production strategies in the Columbia Basin. December 10, 1996.
- U.S. Army Corps of Engineers, North Pacific Division. Record of decision--reservoir regulation and project operation, 1995 and future years. March 10, 1995.
- U.S. Army Corps of Engineers, Walla Walla District. Salmon decision analysis, Lower Snake River

feasibility study--final report. October 4, 1996.

- U.S. Army Corps of Engineers, Walla Walla District Lower Snake River juvenile salmon migration feasibility study, system configuration study phase II Interim status report December 1996.
- Yakama Indian Nation, Confederated Tribes of the Umatilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, and the Nez Perce Tribe. *Wu Run Ush Wu Wu Kish Wu (Spirit of the Salmon)* 1996.
- Officially filed with the Commission on August 1, 1997.

APPENDIX E

SCOPING DOCUMENT DISTRIBUTION LIST

1. Service List (List of Intervenor)--Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects¹

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