

State of Idaho
License and Certificate of Water Right

Water License No. 20262

Amount 3,000 second feet

Water District No.

Priority December 11, 1947

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 December 11, 1947; that Permit No. 20262
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3,000 second feet, was issued thereunder on September 29, 1950, showing that said works
were completed on the 8th day of May, 1950; and that on the 8th
day of May, 1950,

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 generation of electric power
, under Use Permit No. 20262 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 4625, on the 29th day of September, 1950;
The right hereby confirmed dates from December 11, 1947;

The Point of Diversion is located in Lots 5 and 10,
, in the ~~Section 7~~ Sec. 7, Tp. 6 S., R. 12 E., B. M. Gooding County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3,000 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
The place of use of said water is in Lots 5 and 10, Section 7, Township 6 South, Range 12 East, B. M.			Maximum pool regulation- 2,654 feet M.S.L. with 5 foot pondage regulation. Minimum release for License 20262 and 20223- 2,500 cubic feet per second.		

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
day of , 19 .

(SEAL)

State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 19864

Amount 650 second feet

Water District No.

Priority May 14, 1946

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

of Boise, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated May 14, 1946; that Permit No. 19864 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1250 second feet, was issued thereunder on October 7, 1948, showing that said works were completed on the 26th day of June, 1948; and that on the 14th day of June, 1949,

IDAHO POWER COMPANY, Assignee,

of Boise, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Malad River, a tributary of Snake River, for the purpose of electrical power generation, under Use Permit No. 19864 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 4626, on the 29th day of September, 1950;

The right hereby confirmed dates from May 14, 1946;

The Point of Diversion is located approximately 1400 ft. from the Northwest corner of Sec. 35, and in the NE 1/4 NW 1/4, Sec. 35, Tp. 6 S., R. 13 E., B. M. Elmore & Gooding County,

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 650 cubic feet per second, in addition to License 4366 for 700 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
The place of use of said water is at the Company's Lower Malad Power Plant in Lot 2, Section 27, Township 6 South, Range 13 East, B. M.					

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 29th day of September, 1950.

MARK R. KULP

State Reclamation Engineer

(SEAL)

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

Date of notice 12-16 1947
Date of publication of posting 12-25-47 1947
Date of filing of protest 1-26-48 1948

IF PROTESTED

Application No. 27845
Permit No. 20262
District No.

Date of filing of protest 1-26-48 1948
Date of appeal filed 1-26-48 1948

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:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 3,000 cubic feet per second.
3. Source of water supply: Snake River which is a tributary of Columbia River
4. Location of point of diversion: Approx. N.11°14' W. 4646 feet distant from the East quarter corner of Section 18, T. 6 S., R. 12 E., B.M., and is in the Lots 5 and 10 of Section 7, T. 6 S., R. 12 E., B.M., ~~County of~~ in Snake River between Elmore and Gooding Counties
5. Water is to be used for Electric power generation
6. If for mining, milling, power or manufacturing purposes, give:
 - (a) Point of use of water: Same as in 4/ feet distant from above corner of Section T., R., B.M., in the of Section, T., R., B.M.
 - (b) Amount of power generated Approx. 97,500 H.P., under 70-75 feet head.
 - (c) Water is to be returned to Snake River at a point same as in 4 and 6 above feet distant from the corner of Section, T., R., B.M., in the of Section, T., R., B.M.
7. Estimated cost of works: \$ 13,000,000
8. Kind of works: Concrete dam and powerhouse, with flood control works
9. Height of dam Approx. 100 ^x feet; length of dam at top Approx. 500 feet; length of dam at bottom Approx. 225 feet; material used in dam: Concrete with steel reinforcing
10. Size of headgate: Width To be determined feet; height feet;
11. Ditch: ~~Width at bottom~~ None feet; width at water line feet; depth of water feet;
dimensions of flume:
Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.
12. The time required for the completion of such work is Four (4) years.
13. The time required for the complete application of the water to the proposed use is Two (2) additional years.
14. The land to be irrigated is described in the following tabulation: See remarks.
- 14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 - x Approximate maximum height from bottom point of crevice.

15. (a) Is reservoir to be used? See remarks If so, fill in (b) and (c) below.
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

IDAHO POWER COMPANY *Applicant.*

By A. C. Inman Agent.

Vice-President and Secretary

Date of first receipt at Department of Reclamation: 4:00 P. M. December 11, 1947

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20262

Recorded in Book 73 Page 20252 Approved January 29, 1948

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 March 29, 1948

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 January 29, 1950

The whole of said work to be completed on or before January 28, 1952

Beneficial use of water appropriated in accordance herewith, to be made on or before January 29, 1954

Witness my hand this 29th day of January, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, G. 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 29th
day of January, 1948

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

Secretary of State.

By C. A. ROBINS

Governor.

Remarks: Reservoir created by dam will be fluctuated approximately five feet for daily regulation of power output and power plant peaking purposes.

Flood control works will be provided to handle approximately 90,000 c.f.s of flood waters.

14. Water herein filed on (3,000 c.f.s.) is in addition to 12,000 c.f.s. covered by Permit No. 20223 (Application No.27771)

(Continued below)

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
Remarks (Continued) for use in applicant's Bliss Hydroelectric development. Idaho Power Company, applicant herein, is a corporation duly qualified to do business in and under the laws of the State of Idaho, evidence thereof having been heretofore filed with the Department of Reclamation, reference to which is hereby made, reference also being made to official files and records in the office of the Secretary of State of Idaho pertaining to said company.																			
PERMIT NO. 20262 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. 20262, issued upon Application No. 27845, bearing date of priority of December 11, 1947, authorizing the diversion of 3,000 second feet of the waters of Snake River, County of Elmore and Gooding, State of Idaho, for generation of electric power 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 3,000 second feet of the waters of Snake River; that the point of diversion of said waters is in Lots 5 and 10, Section 7, Township 6 South, Range 12 East, B.M.; and that the place of use of said water is in Lots 5 and 10, Section 7, Township 6 South, Range 12 East, B. M. Witness my hand this 29th day of September, 1950.																			
Proof of completion of works made May 8, 1950 Certificate of completion of works issued September 29, 1950										MARK R. KULP State Reclamation Engineer									
NOT ISSUED FOR 3000 SEC. FT. p. 4625																			

Form No. F. P. C.-18

INCLOSURE N^o 54538

FROM

FEDERAL POWER COMMISSION
20262

MEMORANDUM

TO: FILE 02-02065

FROM: CINDY BIRD

RE: Ferc Corr.

DATE: 1-5-1998

Original Application, forms and correspondence regarding the
above is located within file # 02-02064.

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

FILED 4.15
P.M.

MAR 9 1990

JOHN EASTIDA CLERK
BY Marten Marten DEPUTY

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

* * * * *

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

* * * * *

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

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

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

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

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

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

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

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

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

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

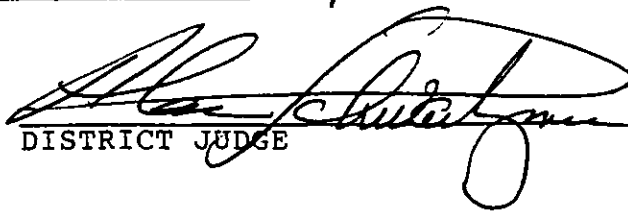
18 2. The above-captioned case is hereby dismissed
19 without prejudice as to all remaining defendants other than the
20 State Defendants.

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

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

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

DATED this 17th day of March, 1980


DISTRICT JUDGE

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 1975-010
Idaho

ORDER GRANTING EXTENSION OF TIME

(Issued January 9, 1995)

The licensee for the Bliss Project has requested an extension of time to comply with ordering paragraph (E) of the October 17, 1994 Order Amending License. The reasons advanced by the licensee in support of the requested extension of time are reasonable and justify the extension.

The Director orders:

(A) The deadline for filing an original and three duplicate aperture cards of the approved Exhibit K and L drawings, as required by the October 17, 1994 order, is extended to March 1, 1995.

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


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

RECEIVED
JAN 12 1995
Department of Water Resources

RECEIVED

FEB 8 1993

Department of Water Resources

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 1975

Idaho

L: 02-2064 - 2065

NOTICE OF INTENT TO FILE AN APPLICATION FOR A NEW LICENSE

(January 29, 1993)

Take notice that Idaho Power Company, the existing licensee for the Bliss Hydroelectric Project No. 1975, filed a timely notice of intent to file an application for a new license, pursuant to 18 CFR 16.6 of the Commission's Regulations. The original license for Project No. 1975 was issued effective March 1, 1948, and expires February 28, 1998.

The project is located on the Snake River in Elmore and Gooding Counties, Idaho. The principal works of the Bliss Project include a reservoir; a concrete gravity dam with a concrete spillway; a concrete powerhouse at the base of the dam with an installed capacity of 75,000 kW; one 138-kV transmission line; and appurtenant facilities.

Pursuant to 18 CFR 16.7, the licensee is required henceforth to make available certain information to the public. This information is now available from the licensee at 1221 West Idaho Street, Corporate Library, Second Floor, P.O. Box 70, Boise, Idaho 83707, Phone: (208) 383-2491.

Pursuant to 18 CFR 16.8, 16.9 and 16.10, 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 February 28, 1996.

Lois D. Cashell
Secretary

02-2065



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

February 27, 1976

MEMORANDUM

TO: Ralph Mellin

FROM: John Bessaw *JS*

SUBJECT: Water Rights for Power Production on the Snake River

On about February 11, 1976, you requested information on several hydro electric plants on the Snake River. You were interested in knowing if the FPC licenses contained any stipulations that a right for power production was subordinate to a water right for irrigation.

Attached is a copy of the information received from the FPC regarding this question.

It appears that the only plant, of those in question, that contain this stipulation on the federal license, is the Twin Falls plant.

JB:nc

Attachment

MICROFILMED

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice-Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

FEDERAL POWER COMMISSION
REGIONAL OFFICE
555 BATTERY STREET, ROOM 415
SAN FRANCISCO, CALIF. 94111

February 24, 1976

Mr. John Bessaw
Water Resources Analyst
State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Dear Mr. Bessaw:

This will respond to your letter of February 12, 1976, inquiring about Federal Power Commission licenses for certain hydroelectric projects in Idaho.

Of the seven projects identified in your list, the Commission has issued licenses for only four - Swan Falls, Twin Falls, Lower Salmon Falls, and Bliss. Minidoka is federally owned and operated and therefore not subject to licensing by the Commission. Several years ago Idaho Power Company applied for a license proposing to include the constructed Upper Salmon developments, Shoshone Falls development, and American Falls development in one project. On March 31, 1975, the Commission issued a license for the American Falls development only, designating it as Project No. 2258. In its order issuing the license the Commission stated that consideration of the Upper Salmon and Shoshone Falls developments was being deferred until a later date. Those two developments remain unlicensed at this time.

Listed below are license expiration dates and the number of the specific license articles which deal in some manner with project operation for power purposes with respect to the use of water for irrigation.

Project No.	Name	License Expiration Date	Pertinent License Articles
18	Twin Falls	6-10-84	11 - <i>Ag dependent</i>
503	Swan Falls	6-30-70*	None

*Project has been operating on annual licenses pending Commission action on Idaho Power Company's application for new license.

Mr. John Bessaw .

- 2 -

February 24, 1975

<u>Project No.</u>	<u>Name</u>	<u>License Expira- tion Date</u>	<u>Pertinent License Articles</u>
1975	Bliss	2-26-98	38
2061	Lower Salmon	12-23-97	39
2258	American Falls	12-31-93	14, 31, 32, 33

Ag enclosed

We are enclosing copies of the cited license articles for your convenience. The complete license documents are lengthy, varying from 20 to 50 pages each. We hope these extracts will suffice for your purpose. If not, you may order the documents from the Office of Public Information, Federal Power Commission, 825 N. Capitol Street, Washington, D. C. 20426. There would be a charge for reproduction.

Very truly yours,

M. Frank Thomas

M. Frank Thomas
Regional Director

•Enclosures

the Fish and Wildlife Service.

Article 28. 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 be then entitled to recover as a matter of law, or of acquiring the Licensee's project as provided by the Act.

Bliss

02-2064

02-2065

Article 29. The construction and operation of the transmission lines from the Bliss plant to substations near American Falls and

Boise shall be subject to the following special conditions:

(i) The Licensee shall not convert said lines to permit operation at a higher voltage without prior approval of the Commission. Upon the request of the Secretary of the Interior under appropriate authority, the Licensee shall, after notice of at least one year from the Commission and within the time fixed by the Commission, convert said lines for operation at a voltage of 230 kilovolts at the expense of the United States.

(ii) After the initial construction of the lines or upon conversion of the lines to a higher voltage as herein provided, the Licensee shall permit the United States, and the United States shall have the right, to interconnect any of its transmission facilities with said lines in a manner conforming to approved standards of practice for the interconnection of transmission circuits provided there is capacity available in



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

*- RKH
- AKD*

*- Copies of these
orders should
go in each
water right
file.*

MEMORANDUM

March 30, 1976

TO: Steve Allred *CA*

FROM: Ralph Mellin *RJM*

SUBJECT: Water Rights for Power Production - Snake River - Southwest Idaho

Research has been made for water licenses and Federal Power Commission license stipulation on the licenses for the hydroelectric dams below American Falls Dam to Lewiston *As shown by the attachments.*

Six hydroelectric facilities evidently do not have an upstream use subordination stipulation on their licenses. Shown below are these sites with their year of largest filing, water right license amounts in cubic feet per second, and the low month average flow determined from the Department's 1975 water rights and approved permits study.

	Water Right in cfs	Low Month Average in cfs	Low Month in cfs	DATE OF LICENSE EXPIRATION
01-0217 Minidoka - 1909	2,700	100 Feb.	0 March 36	by Congress
02-2035 Shoshone Falls - 1920	1,000	10 Aug.	0 Aug. 36	No FPC License
02-2057 Upper Salmon Falls-1929	6,500	7,100 Aug.	6,100 July 61	No FPC License
02-2001 Lower Salmon Falls-1946	15,550	7,100 Aug.	6,100 July 61	1997
02-2064 Bliss - 1947	15,000	7,100 Aug.	6,100 July 61	1998
02-2004 Swan Falls - 1919	9,450	4,000 Aug.	2,700 July 61	License of 1 year
<i>(Includes 43,500 cfs Gibson)</i>				

In those sites that have a Federal Power Commission license coming up for approval or renewal, the Department may want to request there be a stipulation to the license similar to the stipulation in the Twin Falls plant license. This stipulation could state the use of the water for hydroelectric uses would be subordinate to consumptive uses.

For the Minidoka hydroelectric plant, a similar statement could be written

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into any authorizing legislation for the upcoming reconstruction of that facility.

For the Lower Salmon Falls and Bliss hydroelectric projects which have an FPC license until 1997 and 1998, respectively, there could be negotiations with Idaho Power Co. on the Swan Falls-Guffy project in which part of the consideration for the state's participation in the project would be an amendment to the natural flow water rights of the company's upstream hydroelectric projects listed in the above tabulations.

Whatever the follow-up actions, the Department personnel should stay aware of the additional hydroelectric water rights which could call for water or for compensation from other uses including a future IWRB Indian Hills development during the low flow months. The article in the Idaho Constitution which gives domestic and agricultural priority over other rights also states compensation is due to the earlier water rights if agricultural or domestic uses call this water from the other uses.

RM:jg

cc: Ken Dunn

December 10, 1953

Mr. Parley Rigby
Postmaster
Idaho Falls, Idaho

Dear Parley:

Restrictive language is not written into water licenses of Idaho Power Company at Bliss and upstream.

The State constitutional provision is implied in all power rights.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

K:fg

20262

FEDERAL POWER COMMISSION
WASHINGTON 25

Project No. 1975
Idaho Power Company

51825
21062
RECEIVED
AUG 16 1957
Department of Reclamation

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Enclosed for your information is a copy of Amendment No. 1,
Instrument No. 2, of the license for Project No. 1975, issued to
the Idaho Power Company.

Very truly yours,


Secretary

Enclosure No. 112427
Copy of Amendment No. 1

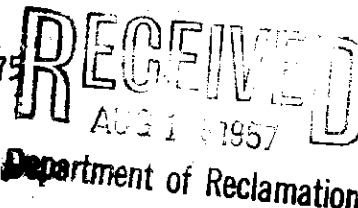
20262

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

Before Commissioners: Frederick Stueck, Acting Chairman; Seaborn L. Digby,
William R. Connole and Arthur Kline.

In the Matter of
Idaho Power Company

Project No. 1975



ORDER AMENDING LICENSE (MAJOR)

(Issued June 25, 1957)

Application was filed June 4, 1956 and later supplemented by Idaho Power Company, licensee for major Project No. 1975 (Bliss plant), for amendment of its license for the project: (1) to include therein certain exhibits, filed in compliance with Article 3 of the license, to show the project boundary and area as finally established, which exhibits supersede certain exhibits now part of the license; and (2) to exclude from the license the telephone line and 12.5-kilovolt standby station service line extending from the Bliss plant to a connection with the licensee's Swan Falls-Lower Salmon 46-kilovolt line of Project No. 282 and telephone system.

The license for the project was issued October 16, 1953, effective as of March 1, 1948.

The licensee requests that elimination of the telephone and service lines from the license be made effective as of the date of issuance of an easement for those facilities by the Department of the Interior. Such an easement was issued by the Department on May 14, 1957, effective as of January 1, 1957.

The principal effects of the amendment will be to establish the area of lands of the United States occupied by the project, exclusive of transmission line right-of-way, and the area of lands of the United States occupied by the telephone and service lines, so that the Commission will be able to prescribe and adjust the annual charges for such occupancy which heretofore have not been specified in the license.

An Assistant Secretary of the Interior, in reporting on the application, offered no objection to the project boundary as now shown on the exhibits to be included in the license.

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The Commission finds:

(1) The license, amended as hereinafter provided, will not interfere or be inconsistent with the purposes of any withdrawal of public lands or reservations of the United States and will not alter any of the basic facts upon which the license was issued.

(2) The aforementioned 12.5-kilovolt standby station service line is not a primary transmission line and should be excluded from the license for the project as hereinafter provided.

(3) The amount of annual charges to be paid under the license as amended for the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands by the project, (190.76 acres) exclusive of those lands used for transmission line purposes, and for the use, occupancy, and enjoyment of its lands by the telephone and service lines (a distance of 0.4 mile with right-of-way 20 feet wide), is reasonable as hereinafter fixed and specified.

(4) The following exhibits filed as part of the application for amendment, as supplemented, conform to the Commission's rules and regulations and should be approved as part of the license for the project and the exhibits described as being superseded should be eliminated from the license for the project:

Exhibit J-1 (FPC No. 1975-32) superseding
Exhibit J-1 (FPC No. 1975-13) now part of the license;

Exhibit K-1 (FPC No. 1975-33) superseding
Exhibit K-1-A (FPC No. 1975-31) now part of the license; and

Exhibit K-1 (FPC Nos. 1975-34 and -35)

The Commission orders:

(A) The exhibits specified in finding (4) above as being filed as part of the application as supplemented are approved as part of the license for the project and the exhibits specified in the same finding as being superseded are eliminated from the license for the project.

(B) The license issued to Idaho Power Company for Project No. 1975 is amended to provide for the exclusion from the license, effective as of December 31, 1956, of the above-mentioned telephone line and 12.5-kilovolt standby station service line extending from the Bliss plant to a connection with the licensee's Swan Falls-Lower Salmon 46-kilovolt line of Project No. 282 and public telephone system; and to fix and adjust, effective as of March 1, 1948, the annual charges to be paid under the

license for the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands; said amendment being:

PARAGRAPH I. Paragraph A of Article 2 of the license is amended 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 purposes of the project, whether such lands or interest therein are owned or held by the Licensee 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 application for license or for amendment thereof and which are designated and described as follows:

Exhibit J-1: (FPC No. 1975-32), Drawing No. E-7154 Revised 3-14-56, received in the office of the Commission on June 4, 1956;

Exhibit J-2: (FPC Nos. 1975-24 and -25), Drawing No. E-7154A in two sheets, received in the office of the Commission on July 1, 1949;

Exhibit K-1: (FPC Nos. 1975-33, -34, and -35), Drawing No. E-7155 Revised 3-14-56 in three sheets, received in the office of the Commission on June 4, 1956;

Exhibit K-2: (FPC Nos. 1975-26, -27, -28, and -29), Drawing No. E-7155A in four sheets, received in the office of the Commission on July 1, 1949.

PARAGRAPH II. Paragraph B of Article 2 of the license is revised to exclude therefrom the words "a telephone line and 12.5-kilovolt standby station service line extending from the Bliss plant to a connection with Licensee's Swan Falls-Lower Salmon 46-kilovolt line of Project No. 282 and public telephone system;"

PARAGRAPH III. Paragraphs B and C of Article 30 of the license are amended to read as follows:

B. 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, \$381.52; and

- C. For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands used only for transmission-line right-of-way, \$820.24 for each calendar year through December 31, 1956; and \$819.60 for each calendar year thereafter.

PARAGRAPH IV. This amendment in the manner set out above shall not operate to alter or amend the license in any other respect and shall not in any way constitute a waiver of any other part, provision or condition of the license.

(C) This order shall become final 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 amendment of license. In acknowledgment of the acceptance of this amendment of license, it shall be signed for the Licensee and returned to the Commission within 60 days from the date of issuance of this order.

By the Commission.

Joseph H. Gutride,
Secretary.

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UNITED STATES-OF AMERICA
FEDERAL POWER COMMISSION

Project No. 175
(Contd.)

Before Commissioners: Frederick Stueck, Acting Chairman; Seaborn L. Digby,
William R. Connole and Arthur Kline.

In the Matter of

Idaho Power Company

Project No. 1975

RECEIVED
JUN 28 1957

Department of Reclamation

ORDER AMENDING LICENSE (MAJOR)

(Issued June 25, 1957)

Application was filed June 4, 1956 and later supplemented by Idaho Power Company, licensee for major Project No. 1975 (Bliss plant), for amendment of its license for the project: (1) to include therein certain exhibits, filed in compliance with Article 3 of the license, to show the project boundary and area as finally established, which exhibits supersede certain exhibits now part of the license; and (2) to exclude from the license the telephone line and 12.5-kilovolt standby station service line extending from the Bliss plant to a connection with the licensee's Swan Falls-Lower Salmon 46-kilovolt line of Project No. 282 and telephone system.

The license for the project was issued October 16, 1953, effective as of March 1, 1948.

The licensee requests that elimination of the telephone and service lines from the license be made effective as of the date of issuance of an easement for those facilities by the Department of the Interior. Such an easement was issued by the Department on May 14, 1957, effective as of January 1, 1957.

The principal effects of the amendment will be to establish the area of lands of the United States occupied by the project, exclusive of transmission line right-of-way, and the area of lands of the United States occupied by the telephone and service lines, so that the Commission will be able to prescribe and adjust the annual charges for such occupancy which heretofore have not been specified in the license.

An Assistant Secretary of the Interior, in reporting on the application, offered no objection to the project boundary as now shown on the exhibits to be included in the license.

The Commission finds:

(1) The license, amended as hereinafter provided, will not interfere or be inconsistent with the purposes of any withdrawal of public lands or reservations of the United States and will not alter any of the basic facts upon which the license was issued.

(2) The aforementioned 12.5-kilovolt standby station service line is not a primary transmission line and should be excluded from the license for the project as hereinafter provided.

(3) The amount of annual charges to be paid under the license as amended for the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands by the project, (190.76 acres) exclusive of those lands used for transmission line purposes, and for the use, occupancy, and enjoyment of its lands by the telephone and service lines (a distance of 0.4 mile with right-of-way 20 feet wide), is reasonable as hereinafter fixed and specified.

(4) The following exhibits filed as part of the application for amendment, as supplemented, conform to the Commission's rules and regulations and should be approved as part of the license for the project and the exhibits described as being superseded should be eliminated from the license for the project:

Exhibit J-1 (FPC No. 1975-82) superseding

Exhibit J-1 (FPC No. 1975-13) now part of the license;

Exhibit K-1 (FPC No. 1975-33) superseding

Exhibit K-1-A (FPC No. 1975-31) now part of the license; and

Exhibit K-1 (FPC Nos. 1975-34 and -35)

The Commission orders:

(A) The exhibits specified in finding (4) above as being filed as part of the application as supplemented are approved as part of the license for the project and the exhibits specified in the same finding as being superseded are eliminated from the license for the project.

(B) The license issued to Idaho Power Company for Project No. 1975 is amended to provide for the exclusion from the license, effective as of December 31, 1956, of the above-mentioned telephone line and 12.5-kilovolt standby station service line extending from the Bliss plant to a connection with the licensee's Swan Falls-Lower Salmon 46-kilovolt line of Project No. 282 and public telephone system; and to fix and adjust, effective as of March 1, 1948, the annual charges to be paid under the

license for the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands; said amendment being:

PARAGRAPH I. Paragraph A of Article 2 of the license is amended 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 purposes of the project, whether such lands or interest therein are owned or held by the Licensee 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 application for license or for amendment thereof and which are designated and described as follows:

Exhibit J-1: (FPC No. 1975-32), Drawing No. E-7154 Revised 3-14-56, received in the office of the Commission on June 4, 1956;

Exhibit J-2: (FPC Nos. 1975-24 and -25), Drawing No. E-7154A in two sheets, received in the office of the Commission on July 1, 1949;

Exhibit K-1: (FPC Nos. 1975-33, -34, and -35), Drawing No. E-7155 Revised 3-14-56 in three sheets, received in the office of the Commission on June 4, 1956;

Exhibit K-2: (FPC Nos. 1975-26, -27, -28, and -29), Drawing No. E-7155A in four sheets, received in the office of the Commission on July 1, 1949.

PARAGRAPH II. Paragraph B of Article 2 of the license is revised to exclude therefrom the words "a telephone line and 12.5-kilovolt standby station service line extending from the Bliss plant to a connection with Licensee's Swan Falls-Lower Salmon 46-kilovolt line of Project No. 282 and public telephone system;"

PARAGRAPH III. Paragraphs B and C of Article 30 of the license are amended to read as follows:

B. 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, \$381.52; and

- C. For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands used only for transmission-line right-of-way, \$820.24 for each calendar year through December 31, 1956; and \$819.60 for each calendar year thereafter.

PARAGRAPH IV. This amendment in the manner set out above shall not operate to alter or amend the license in any other respect and shall not in any way constitute a waiver of any other part, provision or condition of the license.

(C) This order shall become final 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 amendment of license. In acknowledgment of the acceptance of this amendment of license, it shall be signed for the Licensee and returned to the Commission within 60 days from the date of issuance of this order.

By the Commission.

Joseph H. Gutride,
Secretary.

Project No. 1975
(Contd.)

- 5 -

IN TESTIMONY of its agreement to the foregoing amendment, Idaho Power Company, this 2nd day of July, 1957, has caused its corporate name to be signed hereto by T. E. Reach, its _____ President, and its corporate seal to be affixed hereto and attested by James E. Bruce, its Assistant Secretary, pursuant to a resolution of its Board of Directors duly adopted on the 13th day of July, 1950, a certified copy of the record of which is attached hereto.

IDAHO POWER COMPANY

By T. E. Reach
President

Attest:

James E. Bruce
Assistant Secretary

(Executed in quadruplicate)

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Form No. F. P. C.-18

INCLOSURE N^o 112427

FROM

FEDERAL POWER COMMISSION

Project No. 1975
(Contd.)

- 5 -

IN TESTIMONY of its agreement to the foregoing amendment, Idaho Power Company, this ____ day of _____, 1957, 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 _____, 19____, a certified copy of the record of which is attached hereto.

IDAHO POWER COMPANY

By _____
President

Attest:

Secretary

(Executed in quadruplicate)

Idaho Falls, Idaho
December 9, 1953

RECEIVED
DEC 10 1953
Department of Reclamation

Mr. Mark R. Kulp
Department of Reclamation
Capital Building
Boise, Idaho

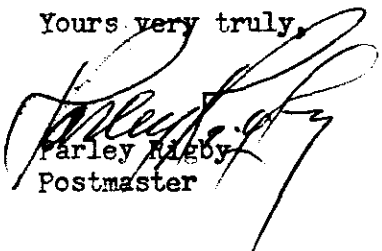
Dear Mark,

Thanks very much for your letter of December 7, and the information contained therein.

Is it true that the Idaho Power Company has no restrictive language regarding the protection of up stream water users on their dam at Bliss and above Bliss.

Sorry I have to bother you, but I need this information.

Yours very truly,


Parley Rigby
Postmaster

PR:dc

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FEDERAL POWER COMMISSION
WASHINGTON 25

Project No. 1975-Idaho
Idaho Power Company

RECEIVED
OCT 26 1950
Department of Reclamation

Department of Reclamation
State of Idaho
State House
Boise, Idaho

Gentlemen:

Enclosed for your information is a copy of
the license issued to the Idaho Power Company for the
Bliss development, Project No. 1975, located on the
Snake River, Idaho.

Very truly yours,


J. H. Gutride
Acting Secretary

Enclosure No. 54538
Copy of license

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FEDERAL POWER COMMISSION

LICENSE FOR MAJOR PROJECT ON LANDS OF THE UNITED STATES

PROJECT NO. 1975-IDAHO

IDAHO POWER COMPANY

Pursuant to the provisions of the Federal Power Act (hereinafter referred to as the Act), the FEDERAL POWER COMMISSION (hereinafter referred to as the Commission) HEREBY ISSUES to IDAHO POWER COMPANY, of Boise, Idaho (hereinafter referred to as the Licensee), THIS LICENSE for the construction, operation, and maintenance of certain project works as hereinafter described, necessary or convenient for the development, transmission, and utilization of power upon lands of the United States, subject to the provisions, terms, and conditions set forth hereinafter and in 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.

Article 1. This license is issued for a period of 50 years effective as of March 1, 1948; and in consideration of this license and the benefits and advantages accruing hereunder to the Licensee, it is expressly agreed by the Licensee that the entire project, project area, and project works, as hereinafter designated and described, whether or not upon lands of the United States, shall be subject to all the provisions, terms, and conditions of this license.

Article 2. The project covered by and subject to this license, known as the Bliss development, is located on the Snake River and in Elmore, Gooding, Twin Falls, Ada, Jerome, Lincoln, Minidoka, Blaine and Power Counties, Idaho, and affects lands of the United States in each of said counties, and consists of:

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A. All lands constituting the project area and inclosed by the project boundary or the limits of which are otherwise defined, and/or interest in such lands necessary or appropriate for the purposes of the project, whether such lands or interest therein are owned or held by the Licensee or by the United States; such project area and project boundary being partially shown and described by certain exhibits which formed part of the application for license and which are designated and described as follows:

Exhibit J-1: (FPC No. 1975-13), Drawing No. E-7154, excepting the tables of project area, received in the office of the Commission on April 20, 1949.

Exhibit J-2: (FPC Nos. 1975-24 and -25), Drawing No. E-7154A in two sheets, received in the office of the Commission on July 1, 1949.

Exhibit K-2: (FPC Nos. 1975-26, -27, -28 and -29), Drawing No. E-7155A in four sheets, received in the office of the Commission on July 1, 1949.

Exhibit K-1-A: (FPC No. 1975-31), Sheet 1A of 3, Drawing No. E-7155, received in the office of the Commission on February 28, 1950.

B. All project works consisting of a concrete dam in lots 5 and 10, sec. 7, T. 6 S., R. 12 E., Boise meridian, creating a reservoir with maximum pool elevation of approximately 2,654 feet extending upstream about 5 miles to a point approximately one-fourth mile downstream from the Bliss bridge; a powerhouse integral with the dam with initial installation of approximately 69,000 kilowatts in three units and provision for future installation of a fourth unit; transformers; a switchyard; two 138-kilovolt transmission lines, one extending from the powerhouse to a substation near Boise, Idaho, and the other extending from the powerhouse to a substation near

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American Falls, Idaho; a telephone line and 12.5-kilovolt standby station service line extending from the Bliss plant to a connection with Licensee's Swan Falls-Lower Salmon 46-kilovolt line of Project No. 282 and public telephone system; and appurtenant works; 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 application for license, and which are designated and described as follows:

Exhibit L: (FPC Nos. 1975-9, -10, -11 and -12), Drawing No. E-7156 in four sheets. (Sheets 1, 2 and 3 received in the office of the Commission on May 25, 1948, Sheet 4 received on June 3, 1948.)

Exhibit L-2: (FPC No. 1975-23), Drawing No. E-7156A, received in the office of the Commission on April 20, 1949.

Exhibit M: A statement in one sheet - General Description and Specifications of Equipment - amended on April 15, 1949 and received in the office of the Commission on April 20, 1949.

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

D. The authorized installed capacity of the project is 130,000 horsepower.

Article 3. The maps, plans, specifications, and statements

designated and described as exhibits in Article 2 hereof, and approved by the Commission, are hereby made a part of this license, and no substantial change shall hereafter be made in said exhibits, or in any of them, until such change shall have been approved by the Commission: Provided, however, that if the Licensee 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 this license and shall supersede, in whole or in part, such exhibit or exhibits theretofore made a part of this license as may be specified by the Commission. Upon completion of the project the Licensee shall file with the Commission revised Exhibits F and K for the reservoir prepared in accordance with the Commission's rules and regulations.

Article 4. Said project works shall be constructed in substantial conformity with the approved exhibits described in Article 2 hereof or as changed in accordance with the provisions of Article 3. 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 this 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 judgement 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 5. The Licensee shall commence construction of the project within four months from the effective date of this license and shall complete said construction for the operation of three generating units on or before July 1, 1950; and at such time as the Commission may direct, provided it is economically sound and in the public interest to do so, after notice and opportunity for hearing, the Licensee shall install the fourth generating unit.

Article 6. 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, San Francisco, California, 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,

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and of its 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 7. 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 this 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 this license under the provisions of Article 3 hereof.

Article 8. 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 9. 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 10. 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 11. Insofar as any material is dredged or excavated in the prosecution of any work authorized under this 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 12. 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 13. 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 this 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 14. The Licensee shall prior to flooding clear all lands in the bottoms and margins of reservoirs up to high-water level, shall clear and keep clear to an adequate width lands of the United States along open conduits, 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 margins of reservoirs which may die during operations 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.

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Article 15. 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 16. 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 17. 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 this license.

Article 18. Whenever the United States desires to construct any 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 such navigation facilities.

Article 19. The Licensee shall furnish free of cost to the United States power for the operation of such navigation facilities when constructed.

Article 20. 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 21. 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 Snake River; and the operations of the Licensee so far as they affect the use, storage and discharge from storage of waters affected by this 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 navigation, or as the Commission may prescribe for the other purposes hereinbefore mentioned.

Article 22. 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 this 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 this license.

Article 23. 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 this 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

20262

appropriate department or agency of the United States.

Article 24. 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 this 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 this license.

Article 25. 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 26. Installation of structures and operations designed to maintain the fishery value of the project, such as ladders, screens, and hatcheries, need not be made until the need for such devices has been determined by the Commission upon the recommendation of the Fish and Wildlife Service and an appropriate order therefor has been issued by the Commission.

Article 27. Practical means of mitigating the losses to fish and wildlife resources occasioned by the construction and operation of the proposed project, of increasing the biological productivity of the project area, and of furthering its public use for recreational enjoyment should be developed by cooperative agreements between the Licensee and the Idaho Fish and Game Department and

the Fish and Wildlife Service.

Article 28. 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 be then entitled to recover as a matter of law, or of acquiring the Licensee's project as provided by the Act.

Article 29. The construction and operation of the transmission lines from the Bliss plant to substations near American Falls and Boise shall be subject to the following special conditions:

(i) The Licensee shall not convert said lines to permit operation at a higher voltage without prior approval of the Commission. Upon the request of the Secretary of the Interior under appropriate authority, the Licensee shall, after notice of at least one year from the Commission and within the time fixed by the Commission, convert said lines for operation at a voltage of 230 kilovolts at the expense of the United States.

(ii) After the initial construction of the lines or upon conversion of the lines to a higher voltage as herein provided, the Licensee shall permit the United States, and the United States shall have the right, to interconnect any of its transmission facilities with said lines in a manner conforming to approved standards of practice for the interconnection of transmission circuits provided there is capacity available in

said line or lines in excess of the needs of the Licensee. The expense of such interconnection, including the expense of additional switching, relaying, and other protective devices, shall be borne by the United States, provided, however, that no such interconnection may be made without the prior approval of the Commission.

(iii) Upon completion of any such interconnections, the United States shall have the right to transfer energy over said lines as initially or ultimately constructed in such amounts as will not unreasonably interfere with the Licensee's use of said lines provided that the Licensee shall be obligated to allow the transmission over the said lines by the United States of electric energy only to consuming facilities of the United States and to public bodies and cooperatives entitled to statutory preference in connection with the distribution and sale of electric energy by the United States.

(iv) After any such interconnection of the facilities of the United States with said lines, the Licensee shall, except in emergencies, maintain in a closed position all connections under the Licensee's control between the Licensee's lines and the interconnecting facilities provided by the United States.

(v) Any interconnected power systems of the United States and the Licensee shall be operated in parallel and in such manner as to render good and adequate service. Any inadequate flow of energy from the lines of the United States into said lines or from said lines into the lines of the United States which may occur while the lines of both the Licensee and the United States are

electrically interconnected shall mutually be compensated for by later return in kind. Any scheduled transfer of energy over said lines for the account of the United States shall be settled for, or any investment in said lines made by the United States shall be liquidated, on reasonable terms under agreements which shall be negotiated between the Licensee and the United States, said agreements to be subject to approval by the Commission.

(vi) Until such agreements are completed, settlement for any such scheduled transfers of power shall be made on the following basis: If power and energy from the lines of the United States is transmitted over these lines, the monthly payment for such transmission shall be the amount of dollars representing that part of the monthly cost to the Licensee of the section of the line or lines over which the power and energy is transmitted which the maximum transmission by the United States in kilowatts during the month bears to the kilowatt capacity of such section of line or lines. The monthly cost to the Licensee referred to herein shall be computed in conformity with the uniform system of accounts prescribed by the Commission.

(vii) In the event the Licensee, its successors or assigns, during any period in which the United States is transmitting power over these lines, shall require reciprocal accommodations for the transfer of power from these project lines over any lines of the United States connected to said lines of the Licensee, such reciprocal accommodations shall be accorded to the Licensee under like terms and conditions as herein provided for the transfer of

power from the lines of the United States over said lines of the Licensee, and the requirements of, and the obligations of the Licensee under, the provisions of Article 29 herein contained shall be contingent and conditioned upon such reciprocal rights being accorded to Licensee, subject to the conditions contained in Article 29 hereof, by any agency of the United States then utilizing the facilities of these lines under the terms of the license.

(viii) If, at any time subsequent to the date upon which the Licensee commences the transmission of energy over said lines for the United States, the Licensee notifies the Commission that the Licensee needs for the transmission of electric energy in connection with its operations the whole or any substantial part of the capacity of the said lines, or part thereof, then being utilized by the United States, and the Licensee makes satisfactory provision for reimbursement to the United States of the original cost to the United States of the facilities desired by the Licensee, less accrued depreciation on the investment of the United States, the Licensee may modify or revoke the then existing agreement to remain interconnected and to transmit energy for the United States by giving to the Commission 24 months' notice, of the Licensee's intention to utilize additional capacity or the entire capacity of the lines, or part thereof, as the case may be, provided, however, that the United States may continue to utilize any capacity in the said lines to the extent that said capacity, if any, was provided by the United States at its expense without

reimbursement by the Licensee.

(ix) If at any time in the future the said lines of the Licensee are proposed for alteration or are altered, the Commission reserves the right, after 30 days' notice and opportunity for hearing, to make a determination as to whether the lines after such alteration, either proposed or actual, will be subject to licensing by the Federal Power Commission under the then existing laws and regulations, and in the event that the Commission finds that the said alteration in the lines, either proposed or actual, so changes the functions served by said lines and the source of energy transmitted over said lines as to make them, or any part of them, not subject to the licensing authority of the Commission under the then existing laws and regulations, the Licensee hereby agrees to secure authority for the continued operation and maintenance of the lines, or such part of the lines, from the appropriate agency of the United States then having jurisdiction over the lands of the United States occupied by the lines, or part thereof, and upon securing said authority the Licensee hereby agrees to surrender the license insofar as it authorizes operation and maintenance of the lines, or such parts thereof, which are found to be no longer subject to Commission jurisdiction. In the event that the Licensee should fail to surrender the license insofar as it is applicable to the lines, or parts thereof, which may then be found by the Commission not to be subject to its jurisdiction, the Commission reserves the right to take appropriate action to have the license terminated

with respect to said lines, or parts thereof, as provided in the then existing laws and regulations.

(x) Any agreement between the Licensee and the United States in connection with said transmission lines or related facilities shall be effective only upon approval by the Commission. In the event the Licensee and any agent of the United States are unable to agree with respect to any matter arising in connection with said transmission lines or related facilities, the question thereby raised shall be submitted to the Commission for determination.

Article 30. Subject to the provisions of Section 10(e) of the Act and the rules and regulations of the Commission thereunder, the Licensee shall, effective as of March 1, 1948, pay to the United States the following annual charges:

A. 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 (130,000 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;

B. 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, an amount to be hereafter determined; and

C. For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands used only for

transmission-line right-of-way, \$819.60.

Article 31. 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 32. After the first twenty (20) years of operation of the project under this license, six (6) percent per annum shall be the specified rate of return on the net investment in the project for determining surplus earnings and for the establishment and maintenance of amortization reserves pursuant to Section 10(d) of the Act; one-half of all earnings in excess of six (6) percent per annum shall be paid into such amortization reserves, and such amortization reserves shall be established, maintained, and disposed of in accordance with the terms of the Act and such rules, regulations, and orders of the Commission as may be adopted pursuant thereto.

Article 33. 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 this 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 34. The Licensee, its successors and assigns will, during the period of this license, retain the possession of all project property covered by this license as issued or as later amended, including the project area, 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 this 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

20262

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 this 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.

Article 35. The terms and conditions expressly set forth in this license shall not be construed as impairing any terms and conditions of the Federal Power Act which are not expressly set forth herein.

IN WITNESS WHEREOF, the Commission has caused its name to
be signed hereto by Jerome K. Kuykendall, its _____
Chairman, and its seal to be affixed hereto and attested by _____
Leon M. Fuquay, its _____ Secretary,
this 16th day of October, 1953, pursuant to its
orders entered October 13, 1949, January 18, 1950, and March 17,
1950, attached hereto.

FEDERAL POWER COMMISSION

By Jerome K. Kuykendall
Chairman.

Attest:

Leon M. Fuquay
Secretary.

JTT:ld
8-19-53

IN TESTIMONY OF ACCEPTANCE of all the provisions, terms, and conditions of this license, the Licensee, this 28th day of September, 1953, 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 its Board of Directors duly adopted on the 13th day of July, 1950, 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 triplicate)

✓
February 20, 1951

Re: Permit No. 20262
Bond No. 987737 - Idaho Power Co.

American Bonding Company of Baltimore
1318 Continental Bank Building
Salt Lake City 1, Utah

ATT: Elizabeth E. Armstrong
Asst. Cashier

Dear Madam:

In reply to your letter of February 16, 1951, in
regard to the above numbered bond:

The works required under Permit No. 20262 were
completed May 8, 1950 and Certificate of Completion of Works
issued October 4, 1950.

Therefore, the bond may be released from any liability
from and after the above date.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

MRK:bh

20262

AMERICAN BONDING COMPANY OF BALTIMORE

HOME OFFICE - BALTIMORE

FIDELITY AND SURETY
BONDS



BURGLARY AND GLASS
INSURANCE

SIDNEY C. FULD
MANAGER

RONALD D. MCGREGOR
ASSISTANT MANAGER

DEPARTMENT OF UTAH AND SOUTHERN IDAHO
CONTINENTAL BANK BUILDING
SALT LAKE CITY, UTAH

TELEPHONE
WASATCH 989

February 16, 1951

Commissioner of Reclamation
Capitol Bldg.
Boise, Idaho

Re: Bond No. 987737 - Idaho Power Co.
Agent's No. 6796 - to State of Idaho
Water Permit Bond dated 2 2 48 - \$1000.
Application No. 27845 - Permit No. 20262

Dear Sir:

We have been advised that the work for which the above-captioned bond was filed has been completed and accepted, and in order to properly close our file, we would appreciate your advising the date of completion and acceptance.

The enclosed copy of this letter may be used for reply.

Thanking you,

Yours very truly,

A
Encl.

Elizabeth D. Armstrong
Asst. Cashier

American Bonding Company

HOME OFFICE

OF BALTIMORE

BALTIMORE 3, MD.

FIDELITY AND SURETY
BONDS



BURGLARY AND GLASS
INSURANCE

RONALD D. MCGREGOR
MANAGER
ROBERT B. BULLEN
SPECIAL AGENT

1318 CONTINENTAL BANK BUILDING
SALT LAKE CITY 1, UTAH

TELEPHONE
9-8697

February 16, 1951

Commissioner of Reclamation
Capitol Bldg.
Boise, Idaho

Re: Bond No. 987737 - Idaho Power Co.
Agent's No. 6796 - to State of Idaho
Water Permit Bond dated 2 2 48 - \$1000.
Application No. 27845 - Permit No. 20262

FEB 19 1951
Department of Reclamation

Dear Sir:

We have been advised that the work for which the above-captioned bond was filed has been completed and accepted, and in order to properly close our file, we would appreciate your advising the date of completion and acceptance.

The enclosed copy of this letter may be used for reply.

Thanking you,

Yours very truly,


Elizabeth D. Armstrong
Asst. Cashier

EA
Encl.

20262

October 4, 1950

Re: Permits Nos. 20223 and 20262

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

Dear Mr. Inman:

We enclose Certificate of Completion of Works and License and Certificate of Water Right issued under Permit No. 20223, confirming the right of the Idaho Power Company to the use of 12,000 second feet of the waters of Snake River, with priority of September 4, 1947.

We also enclose Certificate of Completion of Works and License and Certificate of Water Right issued under Permit No. 20262, confirming the right of the Idaho Power Company to the use of 3,000 second feet of the waters of Snake River, with priority of December 11, 1947.

Both of the above numbered licenses have the same point of diversion and place of use, in Lgts 5 and 10, Section 7, Township 6 South, Range 12 East, B.M. , the water to be used for the generation of electric power.

We also enclose Departmental Receipts Nos. 22716 and 22717, in the amounts of \$3,607.00 and \$907.00 respectively, covering the statutory fees in connection with the above proofs.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

See Engineer's Report on 20223

20262

September 29, 1950

Re: Permits Nos. 20223 & 20262

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

Dear Mr. Inman:

We now have on file the reports on examination for completion of works and beneficial use under the above numbered permits and are prepared to issue certificates of completion of works and licenses, as follows:

On Permit No. 20223, for 12,000 second feet from Snake River, with point of diversion in Lots 5 and 10, Section 7, Twp. 6 S., Range 12 E., B.M. Fee on completion of works, \$3,602.00, and license \$5.00, or a total of \$3,607.00

On Permit No. 20262, for 3000 second feet, with same point of diversion. Fee for completion of works, \$902.00, and license \$5.00, or a total of \$907.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
Chief Clerk

20262

May 19, 1950

Re: Permits Nos. 20223 and 20262

Idaho Power Company
1220 Idaho Street
Boise, Idaho

ATT: Mr. A. C. Inman

Dear Mr. Inman:

We acknowledge receipt of your letter of May 15, 1950, enclosing depositions in Proof of Completion of Works and Beneficial Use under the above numbered Permits.

As stated, we have already received Affidavits of Publication from the Gooding Leader and the Mountain Home News.

These papers have been placed on file, and a field examination will be made by an Engineer from this Department.

Upon receipt of his report, we shall notify you in regard to the fees required in connection with these proofs.

Very truly yours,

MARG H. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20262

20262

May 15, 1950

Department of Reclamation
State Capitol Building
Boise, Idaho

Attention Mr Mark R Kulp

Dear Mr Kulp:

Pursuant to notice by publication heretofore given, concerning which it is my understanding that you already have on file the affidavits of publication of said notice in the Mountain Home News, in Elmore County, and also in The Gooding Leader, in Gooding County, proof of completion of works and of application of water to beneficial use, under Permits Nos 20223 and 20262 (Bliss power plant), has now been made, and I am transmitting the same herewith in the form of affidavits of holder and of two independent witnesses, all three being registered engineers, with respect to both the proof of completion of works and use.

As the record will show, the two permits referred to above are for 12,000 and 3,000 cfs of the waters of Snake River. You will note that the enclosed proof of application of water to beneficial use shows the utilization of 16,100 cfs of water through the plant on May 12, 1950, the day upon which the inspection of the plant was made by the two independent engineers, for the actual generation of power in the amount of 82,800 kilowatts. While licenses obtained under the above permits cannot exceed the amount of water filed on, namely, 15,000 cfs, the filing of the Swendsen and Senger affidavits in your office will constitute a record of a use right for the additional 1,100 cfs of water involved and the actual application to beneficial use of 16,100 cfs of the waters of Snake River at and through the Bliss plant on said date.

I believe that this completes the proceedings prerequisite to the obtaining of licenses with respect to the above-numbered permits, but if there is anything further which you require, please advise.

Very truly yours,

(Sgd.) A. C. Inman

A C Inman
Secretary

ACI:mb
Encl

cc: T E Roach/B C Russell/Central Files

Proofs filed with 20223

20262

STATE OF IDAHO)
) ss
COUNTY OF ADA)

I, G H PETERSEN, a Notary Public, in and for the State of Idaho,
do hereby certify:

That, on Monday, May 8, 1950, at 10 o'clock A M, at my office at
1220 Idaho Street, Boise, Idaho, proof of completion of works and applica-
tion of water to beneficial use under Permits Nos 20223 and 20262 was sub-
mitted by B C Russell, on behalf of Idaho Power Company, holder of said
permits; that said matter was thereupon continued for the further submission
of proof by two independent engineers to and until Monday, May 15, 1950, on
which date, at my above office, personally appeared MYRON SWENDSEN and HENRY
L SENGGER, civil engineers, who submitted affidavits with respect to said
proof of completion of works and application of water to beneficial use
under the above-numbered permits; that my office was open, and I was there
present, during said entire days of May 8 and May 15, 1950, and that said
proofs were submitted to and received by me pursuant to notice by publica-
tion theretofore given.

Dated at Boise, Idaho, this 15th day of May, 1950.



Notary Public,
Residing at Boise, Idaho
My Commission expires July 20, 1953

20262

20223 - 20262

April 19, 1950

The Gooding Leader
Gooding, Idaho

Gentlemen:

On April 5, we sent you a Notice of Proof of Completion of Works and Beneficial Use under Permits Nos. 20223 and 20262 of the Idaho Power Company with instructions to publish once a week for four consecutive weeks prior to May 8, 1950, the date set for proof.

To date we have received no acknowledgement of this notice or have we received a copy of your first issue containing same, as requested.

Please advise if the notice is being published and if so, please send us a copy of same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

20262

Mountain Home News

Commercial Printing ♦ Stationery

ELMORE COUNTY'S OFFICIAL NEWSPAPER
MOUNTAIN HOME, IDAHO

ROBERT M. COOLEY, EDITOR

April 12, 1950

20223-20262

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

Dear Sir:

This is acknowledge receipt of Notice for
publication for four consecutive weeks prior to
May 8, 1950.

re: Idaho Power Co., of Boise, Idaho

Proof sheet will be forthcoming with the
first publication date tomorrow, Apr. 13.

Yours truly,

MOUNTAIN HOME NEWS

Robert M. Cooley, Editor

By *L. Page*
Bookkeeper

RECEIVED
APR 15 1950
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: April 5, 1950

Re: Permit No. 20223 + 20262

Gooding Leader

Gooding, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to May 8, 1950 the date set for proof, the expense of the publication to be paid by the applicant, Idaho Power Co. of 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

20262



IDAHO POWER COMPANY

BOISE, IDAHO

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) March 27, 1950

(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 Gooding Leader of Gooding (Gooding County) and in the Mountain Home News of Mountain Home (Elmore County), the counties in which the works are situated.

IDAHO POWER COMPANY

By

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.

20262

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 Monday, the 8th day of May, 1950, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before G E Petersen, Notary Public, proof will be submitted of the completion of works for the diversion of 12,000 cubic feet per second of the waters of Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No 20223 heretofore issued by the Department of Reclamation of the State of Idaho; and of the completion of works for the diversion of 3,000 cubic feet per second of the waters of Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No 20262 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 are 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 applications for such permits, is in excess of 15,000 cubic feet per second.
3. The use to which said water has been applied is generation of electric power, and the amount applied to beneficial use is in excess of 15,000 cubic feet per second.
4. The place where said water is used is in lots 5 and 10, of Section 7, Township 6 South, Range 12 East, 3 N, approximately 4,646 feet northerly from the East quarter corner of Section 13, said Township and Range, 3 N.
5. The date of priority which said user is prepared to establish is September 4, 1947 under Permit No 20223, and December 11, 1947 under Permit No 20262.

MARK R. KULP

State Reclamation Engineer

00132

(COPY)

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

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

October 13, 1949

In the Matter of
Idaho Power Company

Project No. 1975

ORDER SUPERSEDING ORDER AUTHORIZING
ISSUANCE OF LICENSE (MAJOR)

By order dated March 2, 1948, the Commission authorized issuance of a license under the Federal Power Act to Idaho Power Company to authorize construction, operation and maintenance of a proposed major project, to be known as the Bliss development and designated as Proj. No. 1975, on the Snake River in Elmore, Gooding, and Twin Falls Counties, Idaho. The project would occupy lands of the United States.

Although the application for license stated that the project powerhouse would be connected by tap lines to the company's 138-kilovolt transmission network, neither the tap lines nor the switching station from which they emanate were shown to be within the project boundary on the maps submitted as part of the application for license. The Commission consequently reserved the right to determine at a later date what transmission facilities should be included in the license as part of the project. In addition the order authorized issuance of the license subject to approval by the Secretary of the Army and the Chief of Engineers of such plans of the project structures as may affect navigable capacity.

On April 20, 1949, the applicant filed an application amending and supplementing its original application for license for the project and on July 1, 1949, the last filed application was revised and supplemented. The April 20, 1949, application, as revised and supplemented, seeks to include within the project two proposed 138 kilovolt transmission lines extending from the Bliss plant (of Proj. No. 1975) to substations near Boise and American Falls. The lines would be located in Elmore, Ada, Twin Falls, Gooding, Jerome, Lincoln, Minidoka, Blaine, and Power Counties, Idaho, and would cross lands of the United States.

By letter dated April 26, 1949, the applicant called attention to the urgent need for additional power supply in the area which it serves, stated that immediate construction of the lines was necessary and requested that the Commission give its consent to immediate construction of the lines prior to the formal issuance of an order authorizing construction of the lines as part of Proj. No. 1975. On May 2, 1949, the Commission advised the applicant that prelicense construction of the two 138 kilovolt lines extending from the Bliss power plant to Boise and to American Falls, respectively, at the Applicant's risk, subject to the requirements of the agency or agencies having jurisdiction of the Government lands involved, would not prejudice consideration by the Commission of the application filed April 20, 1949, for inclusion of the lines in the project. After receipt of this letter, the company commenced construction of the lines. The Secretary of the Interior sought to enjoin construction but the United States District Court for the District of Idaho, Southern Division, dismissed the suit, holding the lands to be subject solely to the jurisdiction of the Commission upon the filing of the application covering the lines as provided by Sec. 24 of the Federal Power Act.

20262

One of the 138 kv lines extends northwesterly from the Bliss power plant, a distance of approximately 73 miles, to a point of junction with the applicant's presently existing interconnected primary transmission system at a sub-station located near the city of Boise, and the second 138 kv line extends easterly from the Bliss plant a distance of approximately 116 miles to a point of junction with the applicant's presently existing interconnected primary transmission system at a substation located near the city of American Falls. According to the application, the two transmission lines will operate at 138 kv, they will not connect to other electric generating plants between Boise and American Falls, and the Bliss plant will not be connected to other transmission lines now in operation in the vicinity of the plant. The lines will be directly connected to the Bliss plant and will carry energy generated at that plant to the aforesaid Boise and American Falls substations. Neither line alone is capable of transmitting the entire output of the Bliss plant and consequently both must be used to transmit power away from the plant.

The two transmission lines referred to, the applicant shows, are to be so constructed that they can without difficulty be converted for operation at 230 kilovolts, although initially they are to be operated at 138 kilovolts. They will cross lands of the United States for a distance of 125.647 miles. The right-of-way over 1.610 miles will be 200 feet in width and the remainder of right-of-way on Government land will be 80 feet in width. The equivalent mileage for a 100-foot right-of-way over lands of the United States for which charges may be assessed will be 102.45 miles.

In order to permit construction of the project at the earliest possible date, the Commission authorized the issuance of the license on March 2, 1948 without having formal approval by the Chief of Engineers of the project plans and prior to the submission by the applicant of plans for the necessary transmission facilities. The applicant proceeded with construction of the power plant which it has practically completed so that within a relatively short time the first three units will be ready for operation.

The Chief of Engineers and the Secretary of the Army have now approved the plans for those project structures affecting navigation and have recommended for inclusion in the license certain conditions in the interest of navigation as hereinafter provided.

10/13/49

The Secretary of the Interior has requested the inclusion of certain conditions relating to the use of the transmission lines, the substance of which is incorporated in the following order relating to those lines.

The Public Utilities Commission and the Department of Fish and Game of the State of Idaho have reported that they have no objection to the project.

The Hydroelectric Commission of Oregon reported that the matter would be considered, but has not submitted any further comment.

Under these circumstances it is appropriate to supersede the order of March 2, 1948 by a complete new authorization covering all of the facilities proposed to be constructed at this time so that the license instrument may issue without delay and the applicant may know what its rights will be under the license authorization.

Construction of the principal project facilities was commenced in the spring of 1948. Consequently, the effective date of the license should be March 1, 1948 rather than the date previously authorized.

The project consists of a concrete dam in lots 5 and 10, Sec. 7, T.6 S., R. 12 E., Boise Meridian, creating a reservoir with a maximum pool elevation of approximately 2,654 feet extending upstream about 5 miles to a point approximately one-fourth mile downstream from the Bliss bridge; a powerhouse integral with the dam with initial installation of approximately 69,000 kilowatts in three units and provision for future installation of a fourth unit; transformers; a switchyard; a transmission line extending from the Bliss plant approximately 73 miles to a substation located near the city of Boise and a second transmission line extending from the plant approximately 116 miles to a substation located near the city of American Falls; and, exclusive of transmission facilities, occupies approximately 509.7 acres of lands of the United States in Elmore, Gooding, and Twin Falls Counties, Idaho.

The Commission finds:

- (1) The applicant is a corporation organized under the laws of the State of Maine and has submitted satisfactory evidence of compliance with the requirements of all applicable State laws insofar as necessary to effect the purposes of a license for the project.
- (2) No conflicting application is before the Commission.
- (3) Public notice has been given as required by the Federal Power Act.

- (4) 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 should be undertaken by the United States itself.
- (5) The issuance of a license as hereinafter provided will not interfere or be inconsistent with the purposes of any reservation or withdrawal of public lands of the United States.
- (6) Under present circumstances and conditions and upon the terms 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.
- (7) The horsepower capacity hereinafter authorized to be installed in the project is 130,000 horsepower, and the energy generated thereby will be used for public utility purposes.
- (8) In accordance with Sec. 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.
- (9) 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 used for transmission-line right-of-way is reasonable as hereinafter fixed and specified; and the annual charge for recompensing the United States for the use, occupancy, and enjoyment of its lands (exclusive of those used for transmission-line right-of-way) shall be hereafter determined.
- (10) The maps, plans, and statement filed as part of the application and designated as Exhibit "J-1" (FPC No. 1975-13) excepting the tables of project area, Exhibit "J-2" (FPC Nos. 1975-24 and -25), Exhibit "K-2" (FPC Nos. 1975-26, -27, -28, and -29), Exhibit L (FPC Nos. 1975-9, -10, -11, and -12), Exhibit "L-2" (FPC No. 1975-23), and Exhibit M amended April 15, 1949, respectively, conform to the Commission's rules and regulations and should be approved as part of the license for the project.
- (11) The maps filed as part of the application and designated as Exhibit "K-1" (FPC Nos. 1975-16, -17, and -18) do not show the project boundary around the reservoir lands by a metes-and-bounds survey. These maps and Exhibit F, statement of the nature, extent, and ownership of land and land rights, should be revised in accordance with the Commission's rules and regulations, and filed as hereinafter provided.

- (12) The aforesaid transmission lines leading from the Bliss plant to substations near American Falls and Boise are primary lines and are essential parts of the project as defined in Sec. 3(11) of the Federal Power Act, and therefore are subject to the licensing authority of the Commission.

The Commission orders:

- (A) A license effective as of March 1, 1948, shall be issued to the applicant for a period of fifty years for the construction, operation, and maintenance of major Project No. 1975 subject to the provisions of the Federal Power Act and the rules and regulations thereunder.
- (B) The license shall contain the usual conditions and provisions for licenses issued under Sec. 4(e) of the Act for such projects and the following special provisions:
- (1) The licensee shall commence construction of the project within four months from the effective date of the license and shall complete said construction for the operation of three generating units on or before July 1, 1950.
- (2) At such time as the Commission may direct, provided that it is economically sound and in the public interest to do so, after notice and opportunity for hearing, the Licensee shall install the fourth generating unit.

- (3) Upon completion of the project the licensee shall file with the Commission revised Exhibits F and K for the reservoir prepared in accordance with the Commission's rules and regulations.
- (4) 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 Snake River; and the operations of the licensee so far as they affect the use, storage, and discharge from storage of waters affected by this 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 navigation, or as the Commission may prescribe for the other purposes hereinbefore mentioned.
- (5) The operation by the licensee of the project works so far as such operation involves the use, storage, and discharge from storage of waters of the Snake River at this project, shall at all times be controlled by such reasonable rules and regulations 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 Commission may prescribe for the purposes hereinbefore mentioned.
- (6) 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 be then entitled to recover as a matter of law, or of acquiring the licensee's project as provided by the Federal Power Act.

- (7) Whenever the United States desires to construct any 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 dam or other structures and permit such control of pools as may be required to complete such navigation facilities.
 - (8) The licensee shall furnish free of cost to the United States power for the operation of such navigation facilities when constructed.
 - (9) Installation of structures and operations designed to maintain the fishery value of the project, such as ladders, screens, and hatcheries, need not be made until the need for such devices has been determined by the Fish and Wildlife Service. It will then be the obligation of the licensee to install them.
 - (10) Practical means of mitigating the losses to fish and wildlife resources occasioned by the construction and operation of the proposed project, of increasing the biological productivity of the project area, and of furthering its public use for recreational enjoyment should be developed by cooperative agreements between the licensee and the Idaho Fish and Game Department and the Fish and Wildlife Service.
- (C) The license shall provide that after the first 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 and for the establishment and maintenance of amortization reserves pursuant to Sec. 10(d) of the Act; one-half of all earnings in excess of six (6) percent per annum shall be paid into such amortization reserves, and such amortization reserves shall be established, maintained, and disposed of in accordance with the terms of the Act and such rules, regulations, and orders of the Commission as may be adopted pursuant thereto.
- (D) Subject to the provisions of Sec. 10(e) of the Act and the rules and regulations of the Commission thereunder, the licensee shall, effective as of March 1, 1948, pay to the United States the following annual charges:
- (1) 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 (130,000 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;

- (2) 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), an amount to be hereafter determined; and
- (3) For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands used only for transmission-line right-of-way, \$819.60.
- (E) The exhibits specified in paragraph (10) above be and they are hereby approved as part of the license.
- (F) The construction and operation of the transmission lines from the Bliss plant to substations near American Falls and Boise shall be subject to the following special conditions:
 - (1) The licensee shall not convert said lines to permit operation at a higher voltage without prior approval of the Commission. Upon the request of the Secretary of the Interior under appropriate authority, the licensee shall, after notice of at least one year from the Commission and within the time fixed by the Commission, convert said lines for operation at a voltage of 230 kv at the expense of the United States.
 - (2) After the initial construction of the lines or upon conversion of the lines to a higher voltage as herein provided, the licensee shall permit the United States, and the United States shall have the right, to interconnect any of its transmission facilities with said lines in a manner conforming to approved standards of practice for the interconnection of transmission circuits provided there is capacity available in said line or lines in excess of the needs of the licensee. The expense of such interconnection, including the expense of additional switching, relaying, and other protective devices, shall be borne by the United States, provided, however, that no such interconnection may be made without the prior approval of the Commission.
 - (3) Upon completion of any such interconnections, the United States shall have the right to transfer energy over said lines as initially or ultimately constructed in such amounts as will not unreasonably interfere with the licensee's use of said lines provided that the licensee shall be obligated to allow the transmission over the said lines by the United States of electric energy only to consuming facilities of the United States and to public bodies and cooperatives entitled to statutory preference in connection with the distribution and sale of electric energy by the United States.

- (4) After any such interconnection of the facilities of the United States with said lines the licensee shall, except in emergencies, maintain in a closed position all connections under the licensee's control between the licensee's lines and the interconnecting facilities provided by the United States.
- (5) Any interconnected power systems of the United States and the licensee shall be operated in parallel and in such manner as to render good and adequate service. Any inadvertent flow of energy from the lines of the United States into said lines or from said lines into the lines of the United States which may occur while the lines of both the licensee and the United States are electrically interconnected shall mutually be compensated for by later return in kind. Any scheduled transfer of energy over said lines for the account of the United States shall be settled for, or any investment in said lines made by the United States shall be liquidated, on reasonable terms under agreements which shall be negotiated between the licensee and the United States, said agreements to be subject to approval by the Commission.
- (6) Until such agreements are completed, settlement for any such scheduled transfers of power shall be made on the following basis: If power and energy from the lines of the United States is transmitted over these lines, the monthly payment for such transmission shall be the amount of dollars representing that part of the monthly cost to the licensee of the section of the line or lines over which the power and energy is transmitted which the maximum transmission by the United States in kilowatts during the month bears to the kilowatt capacity of such section of line or lines. The monthly cost to the licensee referred to herein shall be computed in conformity with the uniform system of accounts prescribed by the Commission.
- (7) In the event the licensee, its successors or assigns, during any period in which the United States is transmitting power over these lines, shall require reciprocal accommodations for the transfer of power from these project lines over any lines of the United States connected to said lines of the licensee, such reciprocal accommodations shall be accorded to the licensee under like terms and conditions as herein provided for the transfer of power from the lines of the United States over said lines of the licensee.

- (8) If, at any time subsequent to the date upon which the licensee commences the transmission of energy over said lines for the United States, the licensee notifies the Commission that the licensee needs for the transmission of electric energy in connection with its operations the whole or any substantial part of the capacity of the said lines, or part thereof, then being utilized by the United States, and the licensee makes satisfactory provision for reimbursement to the United States of the original cost to the United States of the facilities desired by the licensee, less accrued depreciation on the investment of the United States, the licensee may modify or revoke the then existing agreement to remain interconnected and to transmit energy for the United States by giving to the Commission 30 months' notice, of the licensee's intention to utilize additional capacity or the entire capacity of the lines, or part thereof, as the case may be, provided, however, that the United States may continue to utilize any capacity in the said lines to the extent that said capacity, if any, was provided by the United States at its expense without reimbursement by the licensee.
- (9) If at any time in the future the said lines of the licensee are proposed for alteration or are altered, the Commission reserves the right, after 30 days' notice and opportunity for hearing, to make a determination as to whether the lines after such alteration, either proposed or actual, will be subject to licensing by the Federal Power Commission under the then existing laws and regulations, and in the event that the Commission finds that the said alteration in the lines, either proposed or actual, so changes the functions served by said lines and the source of energy transmitted over said lines as to make them, or any part of them, not subject to the licensing authority of the Commission under the then existing laws and regulations, the licensee hereby agrees to secure authority for the continued operation and maintenance of the lines, or such part of the lines, from the appropriate agency of the United States then having jurisdiction over the lands of the United States occupied by the lines, or part thereof, and upon securing said authority the licensee hereby agrees to surrender the license insofar as it authorizes operation and maintenance of the lines, or such parts thereof, which are found to be no longer subject to Commission jurisdiction. In the event that the licensee should fail to surrender the license insofar as it is applicable to the lines, or parts thereof, which may then be found by the Commission not to be subject to its jurisdiction, the Commission reserves the right to take appropriate action to have the license terminated with respect to said lines, or parts thereof, as provided in the then existing laws and regulations.

- (10) Any agreement between the licensee and the United States in connection with said transmission lines or related facilities shall be effective only upon approval by the Commission. In the event the licensee and any agent of the United States are unable to agree with respect to any matter arising in connection with said transmission lines or related facilities, the question thereby raised shall be submitted to the Commission for determination.

By the Commission.

Leon M. Fuquay,
Secretary.

Date of Issuance: October 13, 1949

20262

- (2) Exhibit K-1-A (FPC No. 1975-31) conforms to the Commission's rules and regulations and should be approved as part of the proposed license for the project, superseding Exhibit K-1 (FPC No. 1975-16) which should be eliminated therefrom.

The Commission orders:

- (A) The license authorized by Commission order dated October 13, 1949, as modified, for Idaho Power Company's proposed Project No. 1975 shall include thereunder the above-described proposed telephone line and 12.5-kilovolt standby station service line.
- (B) Exhibit K-1-A (FPC No. 1975-31) be and it is hereby approved as part of the proposed license for Project No. 1975, superseding Exhibit K-1 (FPC No. 1975-16) which is hereby eliminated from the proposed license.

By the Commission.

J. H. Gutride,
Acting Secretary.

Date of Issuance: March 20, 1950

20262

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

In the Matter of)
)
 Idaho Power Company) Project No. 1975

Having nearly completed the construction of its Bliss plant on the Snake River in Idaho, licensed as Project No. 1975, the Idaho Power Company, licensee, applied for inclusion among the project facilities of two transmission lines leading from that plant to Boise and American Falls. Inclusion of the lines as part of the project facilities was authorized by the Commission's order of October 13, 1949, which superseded authority previously granted for the development.

Under paragraph F (8) of the order of October 13, 1949, the licensee can repossess transmission line capacity after notice of **thirty months**. The licensee suggests that, in the event it was informed that some customer desired additional capacity within a shorter period, the **thirty months'** notice requirement might interfere with use of its facilities to serve its own customers in accordance with its public utility obligations. The Secretary suggests that the termination notice is for the purpose of giving the Commission time within which to investigate and determine the requirements of the licensee, but that it should not operate automatically to preclude further use by the United States of spare capacity on the lines. He also calls attention to the substantial investment which the United States must make in order to use spare capacity on these lines and asks that this investment not be jeopardized.

Since this termination notice will not operate automatically so as to preclude further use by the United States of spare capacity on these transmission lines, and any investigation and decision by the Commission may be completed in a much shorter period than thirty months, a termination notice of twenty-four months would be sufficient. This shorter period should also provide sufficient time within which the United States could construct substitute capacity for lines which the licensee has built in less than eight months.

Paragraph B (9) of the order of October 13, 1949, does not make it clear that upon the order of the Commission and after its determination in the case of dispute between the licensee and the Fish and Wildlife Service, the licensee shall construct appropriate facilities for the protection of fish life. That paragraph should be amended accordingly.

The Secretary of the Interior also filed an informal request for inclusion of a license condition that the transmission facilities authorized should not interfere with the reclamation projects, but that if necessary the licensee should move or adapt obstructing facilities at its own expense. The standard license conditions imposed upon projects crossing lands of the United States provide for reasonable use by Federal agencies of such lands as are within the project boundary, but do not require the licensee to bear the expense of relocating obstructing facilities.

The Commission finds:

- (1) Amendment of paragraphs B (9), F (7), and F (8) of the order of October 13, 1949, as hereinafter provided, is appropriate and in the public interest, but further amendment of that order is not desirable at this time.
- (2) The petition of the applicant for rehearing, referred to, as modified, should be denied.
- (3) The request of the Secretary of the Interior for modification of the order of October 13, 1949, for the further protection of the reclamation projects should be denied.
- (4) The formal complaint filed October 13, 1949, by the Secretary of the Interior should be dismissed.

The Commission orders:

- (A) Paragraph B (9) of the order of October 13, 1949, herein is modified to read as follows:

"(9) Installation of structures and operations designated to maintain the fishery value of the project, such as ladders, screens, and hatcheries, need not be made until the need for such devices has been determined by the Commission upon the recommendation of the Fish and Wildlife Service and an appropriate order therefor has been issued by the Commission."

1/18/50

- (B) Paragraph F (7) of the order of October 13, 1949, herein is hereby modified to read as follows:

"(7) In the event the licensee, its successors or assigns, during any period in which the United States is transmitting power over these lines, shall require reciprocal accommodations for the transfer of power from these project lines over any lines of the United States connected to said lines of the licensee, such reciprocal accommodations shall be accorded to the licensee under like terms and conditions as herein provided for the transfer of power from the lines of the United States over said lines of the licensee, and the requirements of, and the obligations of the licensee under, the provisions of paragraph F herein contained shall be contingent and conditioned upon such reciprocal rights being accorded to licensee, subject to the conditions contained in paragraph F hereof, by any agency of the United States then utilizing the facilities of these lines under the terms of the license.

- (C) Paragraph F (8) of the order of October 13, 1949, herein is hereby amended by changing the period of notice required before the licensee may repossess line capacity in use by the United States from thirty months to twenty-four months.
- (D) The petition for rehearing filed by the applicant on November 10, 1949, as modified on November 30, 1949, is hereby denied.
- (E) The request of the Secretary of the Interior for modification of the standard license provision for the protection of reclamation facilities of the United States is hereby denied.
- (F) The complaint filed by the Secretary of the Interior on October 13, 1949, is hereby dismissed.

By the Commission. Commissioner Wallgren not participating.

Leon M. Fuquay,
Secretary.

20262

Date of Issuance: January 18, 1950

✓
February 6, 1948

Re: Permit No. 20262

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

Dear Mr. Inman:

We acknowledge receipt of your letter of February 3rd, enclosing Bond of the American Bonding Company, in the amount of \$1,000, in connection with Permit No. 20262- Bliss project.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

20262



IDAHO POWER COMPANY

BOISE, IDAHO

February 3, 1948

Department of Reclamation
State Capitol Building
Boise, Idaho



Attention State Reclamation Engineer

Dear Mr Kulp:

This will acknowledge receipt of Permit
No 20262 with reference to the Company's Bliss
hydroelectric development.

In accordance with your transmittal letter
of January 31, 1948, Bond of Idaho Power Company as
Principal, with American Bonding Company of Baltimore
as Surety, in the amount of \$1,000 is filed herewith.

Very truly yours,

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

A C Inman
Secretary

ACI:mb
Encl

20262

BOND

KNOW ALL MEN BY THESE PRESENTS, That Idaho Power Company, a corporation, of Boise, Idaho, as principal, and AMERICAN BONDING COMPANY OF BALTIMORE, a corporation duly organized and doing business under and by virtue of the laws of the State of Maryland, 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 (\$1,000.00), lawful money of the United States, to the payment of which sum, well and truly to be made, said principal and surety bind themselves, their 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 10th day of December, 1947, 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 27845, in accordance with which said application the State Reclamation Engineer granted and issued to the said principal herein a certain permit numbered No 20262, a full, true and complete copy of which application No 27845 and permit No 20262 is of record in the office of the State Reclamation Engineer in Book 73 of Permits, at page 20262.

Now, if the above bounden principal shall faithfully carry to completion the said works of diversion as specified in said application No 27845 and permit No 20262, 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 principal and surety have hereunto set their hands and seals this 7 day of Dec., 1948.

(CORPORATE SEAL)

IDAHO POWER COMPANY, Principal

By

A. B. Johnson
Its Vice President

AMERICAN BONDING COMPANY OF BALTIMORE,
Surety

By

[Signature]
Its Attorney-in-fact.

COUNTERSIGNED:

[Signature]
Resident Agent at Boise, Idaho.

January 31, 1948

Re: Permit No. 20262

Idaho Power Co.
1220 Idaho St.
Boise, Idaho

Attn: Mr. A. C. Inman

Dear Mr. Inman:

We enclose Permit No. 20262 together with Departmental Receipt No. 20257 for the \$754.75 filing fee.

You are advised that in order to keep this permit in force a bond in the sum of \$1000.00 must be filed in the office of the State Reclamation Engineer on or before March 29, 1948, conditioned on faithfully carrying to completion the works of diversion specified in said permit and in the application therefor.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/dm

20262



IDAHO POWER COMPANY

BOISE, IDAHO

January 27, 1948

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

Dear Mr Kulp: Re Application No 27845 (Bliss)

I am enclosing herewith Affidavits of Publication from The Gooding Leader and the Mountain Home News showing publication of notice of the above application in said two newspapers, in Gooding and Elmore Counties in the State of Idaho, both of said publications having been for three consecutive weeks, on December 25, 1947 and January 1st and 8th, 1948.

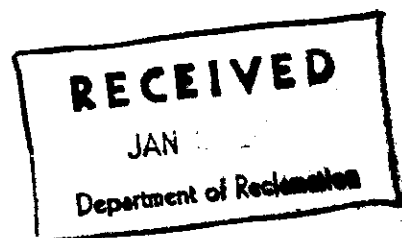
It is my understanding that the last day for protest was January 26, 1948, and that issuance of permit is now in order.

Very truly yours,

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

A C Inman
Secretary

ACI:mb
Encl (2)



20262

A SCOTCH TELEGRAM *The Gooding Leader*

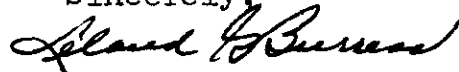
ONE COST—ONE COVERAGE—ONE GOOD NEWSPAPER

Dear Mr. Kulp:

December 19, 1947

Acknowledgement is made of receipt of
legal notice regarding Application No. 27845.
This notice will run in the LEADER on Dec. 25th,
Jan. 1, 1948 and Jan. 8, 1948.

Sincerely,



Leland G. Burrass

20262

The Gooding LEADER
Gooding, Idaho

RECEIVED
DEC 19 1907

Department of Reclamation



THIS SIDE OF CARD IS FOR ADDRESS

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

20262

AFFIDAVIT OF PUBLICATION

State of Idaho
DEPARTMENT OF
RECLAMATION

Notice of application to appropriate the public waters of the State of Idaho in accordance with the provisions of Section 41-203, Idaho Code Annotated.

Notice is hereby given that on the 11th day of December, 1947, The Idaho Power Company, of Boise, Idaho, made application to appropriate Three Thousand (3,000) cubic feet per second of the waters of Snake River, for the generation of electric power.

That the point of diversion of said waters is described as being located approximately N. 11°14' W. 4646 feet from the East quarter corner of Section 18, Township 6 South, Range 12 East, B.M., and in Lots 5 and 10, Section 7, Township 6 South, Range 12 East, B.M., in the Snake River between Elmore and Gooding Counties.

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

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 16th day of December, 1947.

MARK R. KULP,

State Reclamation Engineer
Date of first publication, Dec. 25, 1947.

Date of last publication, Jan. 8, 1948.

Last date for protest: Jan. 26, 1948

6-8

STATE OF IDAHO }
County of Gooding } ss.

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

consecutive weeks, the first publication having been made on the *25th* day of *December*, 194*7*,

and the last publication having been made on the *8th* day of *January*, 194*8*,

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

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

Leland G. Burress

Subscribed and sworn to before me this

21st day of *January*, 194*8*.

Helen L. Smith

Notary Public.

20262

STATE OF IDAHO
Department of Reclamation

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

NOTICE IS HEREBY GIVEN
That on the 11th day of De-
cember, 1947, The Idaho Power
Company, of Boise, Idaho, made
application to appropriate Three
Thousand (3,000) cubic feet per
second of the waters of Snake
River, for the generation of
electric power.

That the point of diversion of
said waters is described as be-
ing located approximately N.

11 degrees 14 minutes W. 4646
feet from the East quarter cor-
ner of Section 18, Township 6
South, Range 12 East, B. M.,
and in Lots 5 and 10, Section
7, Township 6 South, Range 12
East, B. M., in the Snake River
between Elmore and Gooding
Counties.

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

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 pro-
testant, and shall clearly set
forth his objections to the ap-
proval of said application.

Dated this 16th day of De-
cember, 1947.

MARK R. KULP

State Reclamation Engineer
Date of first publication Dec.
25, 1947.

Date of last publication, n.
3, 1947.

Last date for protest: January
26, 1948.

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 25th day

of December, 1947, and the
last publication having been made on the 8th

day of January, 1948;
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 16th

day of January, 1948

Robert M. Cooley
Notary Public

20262

Mountain Home News

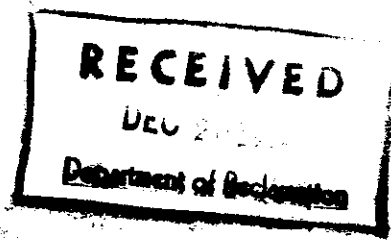
ELMORE COUNTY'S OFFICIAL NEWSPAPER
MOUNTAIN HOME, IDAHO

Fine Commercial Printing ♦ Stationery

ROBERT M. COOLEY, EDITOR

December 19, 1947

Mark L. Kulp, Engr.
State Reclamation Dept.
Baise, Idaho.



Dear Sir:

This is to acknowledge receipt of your insertion order to the Mtn. Home News - dated December 18, 1947.

Thank you for your order - we shall send copy requested.

Yours truly,

Robert M. Cooley
Mtn. Home News.

20262

✓
December 18, 1947

Re: Application No. 27845

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

Dear Mr. Inman:

In accordance with your letter of December 17th, we have sent copies of the notice in connection with the above numbered application to the Gooding County Leader and the Mountain Home News, with instructions to publish once a week for three consecutive weeks, commencing with their next issue, and to send you the affidavit of publication, when completed.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A

Chief Clerk

20262

December 18, 1947

Re: Application No. 27845

The Gooding County Leader
Gooding, Idaho

Gentlemen:

Enclosed find copy of a notice which
please publish once a week for three consecutive
weeks, commencing with your next issue.

The cost of publication is to be paid by
the Idaho Power Company, Boise, Idaho, to whom please
furnish affidavit of publication, when completed.

Please acknowledge receipt of this notice,
and send this office a copy of the first issue containing
same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

By
Chief Clerk

A

Encl.

20262

December 18, 1947

Re: Application No. 27845

The Mountain Home News

Mountain Home, Idaho

Gentlemen:

We enclose copy of a notice which
please publish once a week for three consecutive
weeks, commencing with your next issue.

The cost of publication is to be paid by
Boise, Idaho
the Idaho Power Company, /to whom please furnish
affidavit of publication, when completed.

Please acknowledge receipt of this notice,
and send this office a copy of the first issue con-
taining same.

Very truly yours,

MARK A. KULP
State Reclamation Engineer

A
encl.

By
Chief Clerk

20262



IDAHO POWER COMPANY

BOISE, IDAHO

December 17, 1947

Department of Reclamation
State Capitol Building
Boise, Idaho

Gentlemen: Re Application No 27845 (Bliss)

I return herewith copy of notice with reference to the above application, acknowledging service thereof on December 17, 1947.

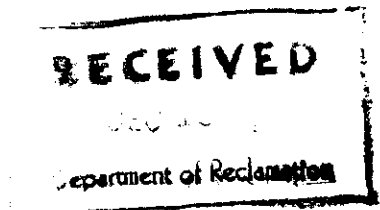
Also enclosed herewith is authorization for publication, and, as stated in your letter of transmittal of December 16th, you are authorized to have the notice published in both counties affected by the development, namely, in the Gooding County Leader, of Gooding, Idaho, and in the Mountain Home News, of Mountain Home, Idaho.

Very truly yours,

A handwritten signature in dark ink, appearing to read "A. C. Inman". The signature is fluid and cursive, with the first name "A." and last name "Inman" clearly distinguishable.

A C Inman
Secretary

ACI:mb
Encl (2)



20262

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 17, 1947

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

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

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
Gooding County Leader of Gooding, published in
Mountain Home News of Mt. Home
the county in which the works are situated.

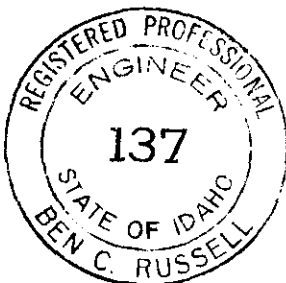
Idaho Power Company
by B. C. Russell, Secy.

(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.



20262

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

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

NOTICE IS HEREBY GIVEN That on the 11th day of December, 1947, The Idaho Power Company, of Boise, Idaho, made application to appropriate Three Thousand (3,000) cubic feet per second of the waters of Snake River, for the generation of electric power.

That the point of diversion of said waters is described as being located approximately N. 11°14' W. 4646 feet from the East quarter corner of Section 18, Township 6 South, Range 12 East, B.M., and in Lots 5 and 10, Section 7, Township 6 South, Range 12 East, B.M., in the Snake River between Elmore and Gooding Counties.

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

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 16th day of December, 1947.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication _____
Date of last publication _____
Last date for protest: January 25, 1948
22

20262

SERVICE OF THE FOREGOING, By copy, is hereby acknowledged, this 17th day of December, 1947.

IDAHO POWER COMPANY
Applicant

By *A. J. Shuman*

Its Secretary _____

December 18, 1947

Re: Application No. 27845

Idaho Power Company
Boise, Idaho

Attention- Mr. A. C. Inman

Dear Mr. Inman:

We enclose duplicate notices in connection
with the above numbered application.

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

Please also execute the enclosed form of
authorization for publication, which we assume will
be in both counties, as in your former application.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Encs.

20262



IDAHO POWER COMPANY

BOISE, IDAHO

December 10, 1947

Department of Reclamation
State Capitol Building
Boise, Idaho

Gentlemen:

I am transmitting herewith application of Idaho Power Company to appropriate 3,000 cfs of the waters of Snake River for electric power generating purposes in connection with this Company's proposed Bliss Hydroelectric Development, together with two copies of map of the proposed project, and filing fee in the amount of \$754.75.

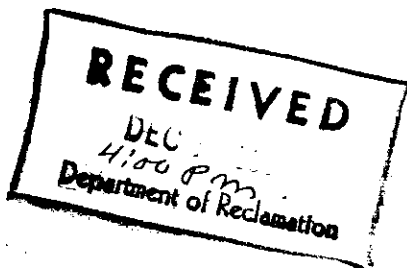
This application is in addition and supplemental to that covered by Permit No. 20223 (App. No. 27771), made necessary by changes in design which will result in greater plant capacity than was originally intended.

Very truly yours,

A C Irman
Secretary

ACI:jh

Encls



20262

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 Monday, the 8th day of May, 1950, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before G. H. Petersen, Notary Public, proof will be submitted of the completion of works for the diversion of 12,000 cubic feet per second of the waters of Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 20223 heretofore issued by the Department of Reclamation of the State of Idaho; and of the completion of works for the diversion of 3,000 cubic feet per second of the waters of Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 20262 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 are 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 applications for such permits, is in excess of 15,000 cubic feet per second.

3. The use to which said water has been applied is generation of electric power, and the amount applied to beneficial use is in excess of 15,000 cubic feet per second.

4. The place where said water is used is in Lots 5 and 10, of Section 7, Township 6 South, Range 12 East, B. M., approximately 4.646 feet northerly from the East quarter corner of Section 18, said Township and Range, B. M.

5. The date of priority which said user is prepared to establish is September 4, 1947 under Permit No. 20223, and December 11, 1947 under Permit No. 20262.

MARK R. KULP

State Reclamation Engineer

First Publication April 13, 1950.

Last Publication May 4, 1950.

**NOTICE OF PROOF OF
COMPLETION WORKS**

**and
APPLICATION OF WATER TO
BENEFICIAL USE**

Notice is hereby given that at 10:00 a.m., on Monday, the 8th day of May, 1950, at 1220 Idaho Street, Boise, County of Ada, State of Idaho, before G. H. Petersen, Notary Public, proof will be submitted of the completion of works for the diversion of 12,000 cubic feet per second of the water of Snake river and of the application to beneficial use of said water, in

accordance with the terms and conditions of Permit No. 20223 heretofore issued by the Department of Reclamation of the State of Idaho; and of the completion of works for the diversion of 3,000 cubic feet per second of the waters of Snake River and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. 20262 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 are 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 applications for such permits, is in excess of 15,000 cubic feet per second.

3 The use to which said water has been applied is generation of electric power, and the amount applied to beneficial use is in excess of 15,000 cubic feet per second.

4. The place where said water is used is in lots 5 and 10, of Section 7, Township 6 South, Range 12 East, B.M., approximately 4,646 feet northerly from the East quarter corner of Section 18, said Township and Range, B.M.

5. The date of priority which said user is prepared to establish is September 4, 1947 under Permit No. 20223, and December 11, 1947, under Permit No. 20262.

MARK R. KULP, State Reclamation Engineer. 4-20-50 22-25