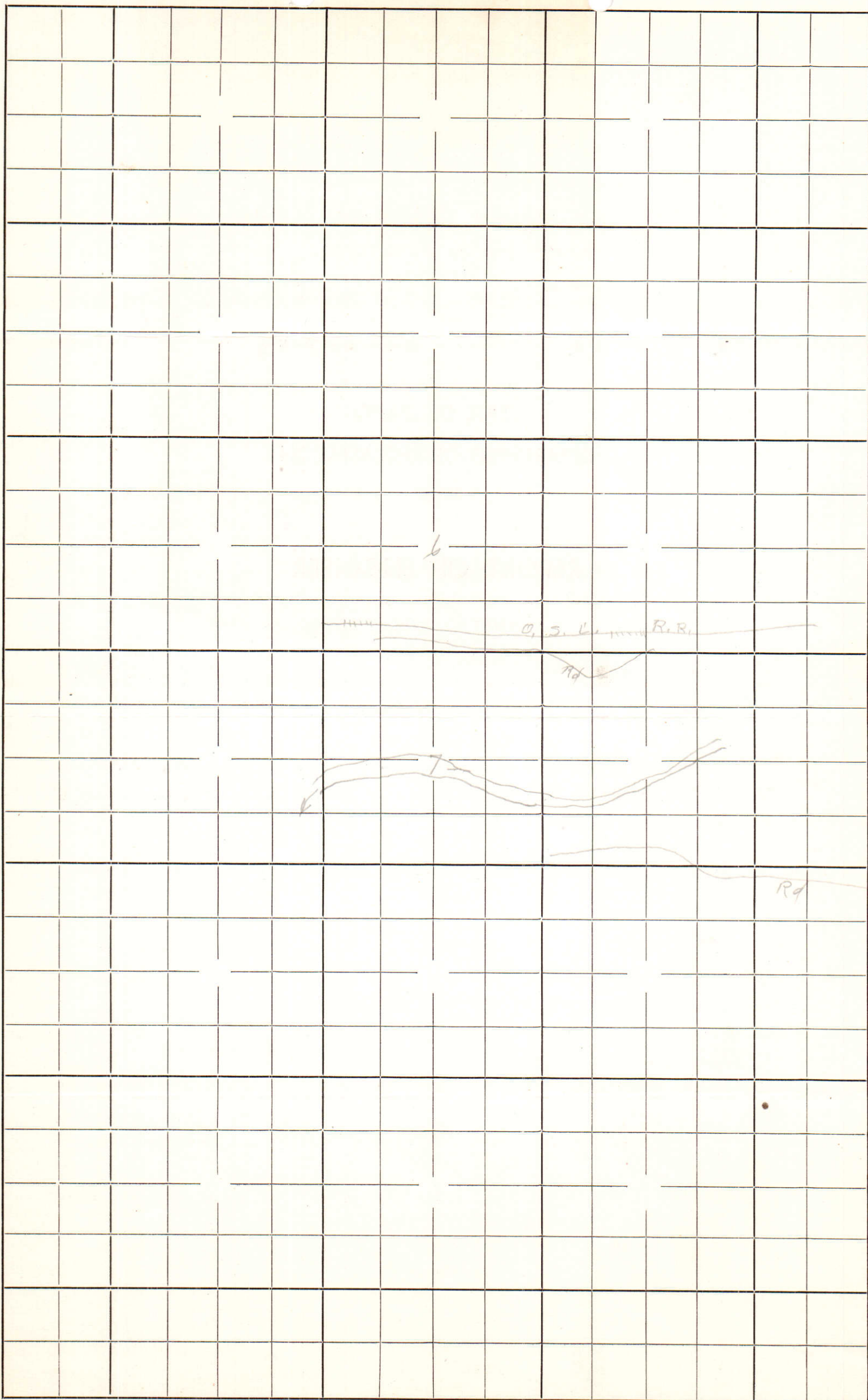




*duplicate
to Mark Kulp.*

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.

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

4 consecutive weeks, the first publication having been made on the 13th day of April, 1950, and the last publication having been made on the 4th

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

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

Robert M. Cooley

Subscribed and sworn to me this 8th

day of May, 1950.

Mary Bernersalo
Notary Public

20223

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 9 1950
Department of Reclamation

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.

22-25

STATE OF IDAHO }
County of Gooding } ss.

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

four consecutive weeks, the first publication having been made

on the 13th day of April, 1950,

and the last publication having been made on the

on the 4th day of May, 1950,

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

5th day of May, 1950.

Helene L. Smith

Notary Public.

20223

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 4th day of September, 1947, Idaho Power Company, of Boise, Idaho, made application to appropriate Twelve Thousand (12,000) cubic feet per second of the waters of Snake River, for the generation of electrical power.

That the point of diversion of said waters is described as being located approximately N. 11° 14' W. 4646 feet distant from the East quarter corner of Section 18, Township 6 South, Range 12 East, B. M., and in Lots 5 and 10 of Section 7, Township 6 South, Range 12 East, B. M., in 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 objection to the approval of said application.

Dated this 26th day of September, 1947.

MARK R. KULP, State Reclamation Engineer.

Date of first publication, Oct. 2, 1947.

Date of last publication, Oct. 16, 1947.

Last date for protest, Nov. 5, 1947.

Service of the foregoing, by copy, is hereby acknowledged, this 29th day of September, 1947.

IDAHO POWER COMPANY,
Applicant

By A. C. INMAN,
Its Secretary

46-48

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 *2nd* day of *October*, 194*7*, and the last publication having been made on the *16th* day of *October*, 194*7*, 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

24th day of *October*, 194*7*.

Helen P. Smith

Notary Public.

20223

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 4th day of September, 1947, Idaho Power Company, of Boise, Idaho, made application to appropriate Twelve Thousand (12,000) 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 distant from the East quarter corner of section 18, Township 6 South, Range 12 East, B.M., and in Lots 5 and 10 of Section 7, Township 6 South, Range 12 East, B.M., in 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 protests shall state the name and address of the protestant, and shall clearly set forth his objections to the approval of said application.

Dated this 26th day of September, 1947.

MARK R. KULP

State Reclamation Engineer

Date of first publication, October 2, 1947.

Date of last publication, October 16, 1947.

Last date for protest: November 5, 1947

SERVICE OF THE FOREGOING, By Copy, is hereby acknowledged, this 29th day of September, 1947.

IDAHO POWER COMPANY,
Applicant

By A. C. Inman
Its Secretary

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Robert M. Culley 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 publication
having been made on the 2nd day

of October, 1947, and the

last publication having been made on the 16th

day of October, 1947;
every number of the paper during the period
and time of publication and that the notice
was published in the newspaper proper and
not in a supplement thereof.

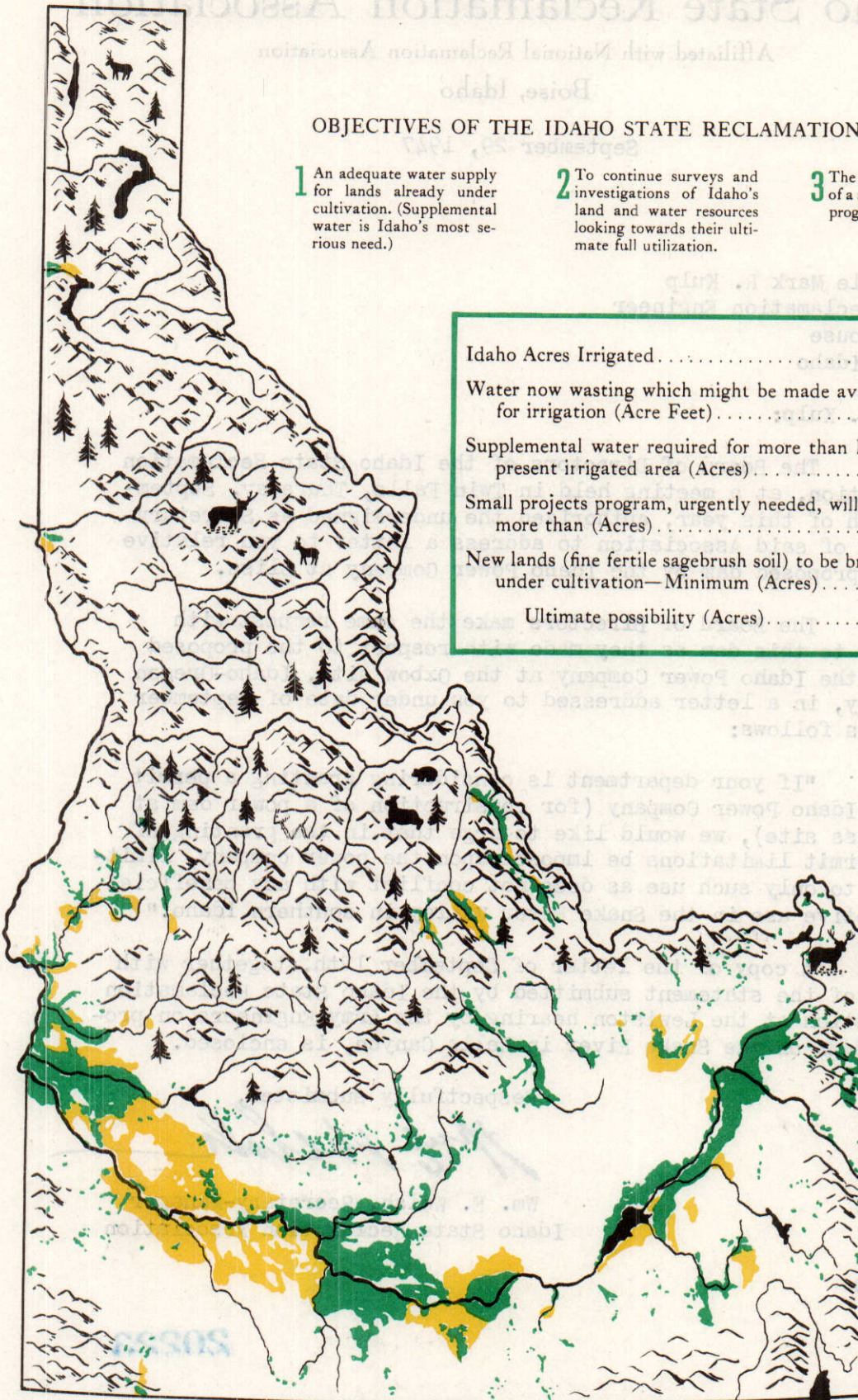
And I further swear that the said MOUNTAIN HOME NEWS (formerly Mountain Home Republican) has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Subscribed and sworn to me this 17th

day of October, 1947.

Frank H. [Signature]
Notary Public

20223



OBJECTIVES OF THE IDAHO STATE RECLAMATION ASSOCIATION:

- 1 An adequate water supply for lands already under cultivation. (Supplemental water is Idaho's most serious need.)
- 2 To continue surveys and investigations of Idaho's land and water resources looking towards their ultimate full utilization.
- 3 The orderly development of a state-wide reclamation program.

Idaho Acres Irrigated.....	2,300,000
Water now wasting which might be made available for irrigation (Acre Feet).....	6,000,000
Supplemental water required for more than half of present irrigated area (Acres).....	1,300,000
Small projects program, urgently needed, will affect more than (Acres).....	100,000
New lands (fine fertile sagebrush soil) to be brought under cultivation—Minimum (Acres).....	1,300,000
Ultimate possibility (Acres).....	1,900,000

Irrigated areas

Proposed for Irrigation

State of Idaho

License and Certificate of Water Right

Water License No. 20223

Amount 12,000 second feet

Water District No.

Priority September 4, 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 September 4, 1947; that Permit No. 20223
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 12,000 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. 20223 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 4624, on the 29th day of September, 1950;
 The right hereby confirmed dates from September 4, 1947;

The Point of Diversion is located in Lots 5 and 10
~~in the~~ Sec. 7, Tp. 6 S., R. 12 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 12,000 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 M.S.L. with 5 foot pondage regulation. Minimum release for License 20223 and License 20262- 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
 29th day of September, 1950.

(SEAL)

MARK R. KULP
 State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 19924Amount 14,000 second feet

Water District No. _____

Priority August 8, 1946

THIS IS TO CERTIFY that MORRISON-KNUDSEN COMPANY
 of Boise, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated August 8, 1946; that Permit No. 19924
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 14,000 second feet, was issued thereunder on September 29, 1950, showing that said works
 were completed on the 19th day of December, 1949; and that on the 19th
 day of December, 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 Snake
 River, a tributary of Columbia River, for the purpose of generation of electric
 power, under Use Permit No. 19924 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 4623, on the 29th day of September, 1950;
 The right hereby confirmed dates from August 8, 1946;

The Point of Diversion is located in Lot 7

in the ~~XXXXXX~~ Sec. 2, Tp. 7 S., R. 13 E., B. M. Gooding County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed 14,000 cubic feet per second, in addition to Licenses No. 3685 and 18107 for
 3,250 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 power plant located above the point of diversion in Lot 7, Section 2, Twp. 7 S., Range 13 E., B.M.					
Maximum pool regulation-2,798 M.S.L. with 6' pondage, with minimum release of 1,000 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
 29th day of September, 1950.

(SEAL)

MARK R. KULP
 State Reclamation Engineer

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

02-2064

Date of notice 9-26-1947
Date of Publication or Posting 10-2-1947
Date for Protest 11-5-1947

IF PROTESTED

Application No. 27771
Permit No. 20223
District No.

Notice of Hearing 1947
Hearing 1947
Appeal Filed 1947

Name of Applicant: IDAHO POWER COMPANY

Postoffice address: 1220 Idaho St., Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: Maine- May 6, 1915
(b) Amount of capital stock: \$38,000,000.00
(c) Amount paid in: \$19,278,826.00

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

- II. The financial resources of the applicant are:
(a) Cash on hand:
(b) Treasury stock: (See balance sheet attached)
(c) Bonds to be issued:
(d) Other resources: (In file)

2. Quantity of water claimed: 12,000 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 above /feet distant from corner of Section
T., R., B.M., in the of Section, T., R., B.M.
(b) Amount of power generated: Approx. 87,500 H.P., under 65 to 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: \$ 13,000,000.00
8. Kind of works: Concrete dam and powerhouse, with flood control works
9. Height of dam Approx. 100 feet; length of dam at top Approx. 500 feet; length of dam at bottom Approx. 225 feet
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 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:
° 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: 2:30 P. M. Sept. 4, 1947

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20223

Recorded in Book 73 Page 20223 Approved December 3, 1947

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 February 3, 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 December 3, 1949

The whole of said work to be completed on or before December 3, 1951

Beneficial use of water appropriated in accordance herewith, to be made on or before December 3, 1953

Witness my hand this 3rd day of December, 1947

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 3rd
day of December, 19 47.
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 75,000 c.f.s. of flood waters.

14.

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	
			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 heretofore been filed with the Department of Reclamation, reference to which is hereby made, reference also being made to the official files and records in the office of the Secretary of State of Idaho pertaining to said Company. PERMIT NO. 20223 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. 20223, issued upon Application No. 27771, bearing date of priority of September 4, 1947, authorizing the diversion of 12,000 second feet of the waters of Snake River, County of Elmore & 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 12,000 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																
			LICENSE ISSUED FOR 12,000 SEC. FT. p. 4624																

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 1975-012
Idaho

02-2064
2065

ORDER APPROVING AS-BUILT EXHIBITS

(Issued January 17, 1996)

On March 23, 1995, Idaho Power Company, licensee for the Bliss Project, FERC No. 1975, submitted as-built exhibit K and L drawings for approval.

The as-built exhibit drawings show the access road to the north abutment of Bliss Dam. The as-built exhibits confirm that the constructed road does not differ substantially from the accepted final design drawings. The drawing titled North Access Road General Plan and Location more generally depicts project features (the plan and location of the access road) rather than project location or boundaries. Project features are identified as exhibit L in the FERC project records. Therefore, the submitted exhibit K drawing will be approved as an exhibit L drawing

The Director orders:

(A) The following as-built exhibit L drawings are approved and made part of the license:

Exhibit	FERC No.	Title	Superseding
L-7	1975-44	North Access Road General Plan and Location	1975-39
L-8	1975-45	North Access Road Plan and Profile	1975-40
L-9	1975-46	North Access Road Road Cross Section and Underground Utilities	1975-41
L-10	1975-47	North Access Road Concrete Retaining Wall Plan View	1975-42
L-11	1975-48	North Access Road Concrete Retaining Wall Sections and Details	1975-43

(B) The superseded exhibit drawings are eliminated from the license.

DC-A-7

- 2 -

(C) Within 90 days of the date of issuance of this order, the licensee shall file an original and two duplicate aperture cards of the approved drawings. The original should be reproduced on silver or gelatin 35mm microfilm. The duplicates are copies of the originals made on diazo-type microfilm. All microfilm should be mounted on type D (3 1/4" x 7 3/8") aperture cards.

Prior to microfilming, the FERC Drawing Number (1975-44 through 1975-48) shall be shown in the margin below the title block of the approved drawing. After mounting, the FERC Drawing Number should be typed on the upper right corner of each aperture card. Additionally, the Project Number, FERC exhibit (i.e., L-7 through L-11), Drawing Title, and date of this order should be typed on the upper left corner of each aperture card. See Figure 1.

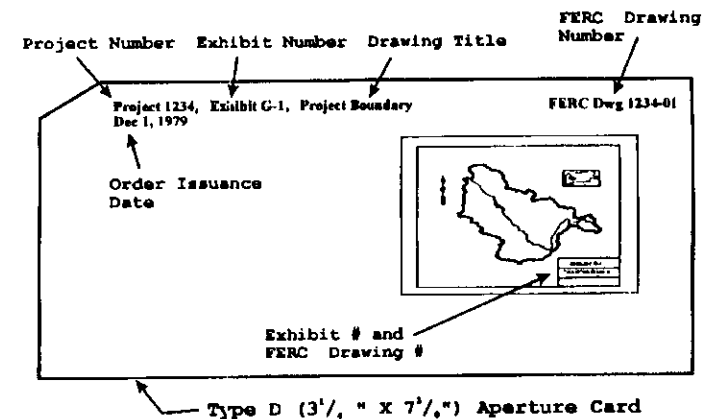


Figure 1. Sample Aperture Card Format

The original and one duplicate set of aperture cards should be filed with the Secretary of the Commission. The remaining duplicate set of aperture cards should be filed with the Commission's Portland Regional Office.

(D) The licensee shall notify the Commission of any future proposed changes in the project prior to implementing them.

RECEIVED
JAN 23 1996
Department of Water Resources

RECEIVED

JAN 17 1995

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION Department of Water Resources

Idaho Power Company

Project No. 1975-010
Idaho

ORDER GRANTING EXTENSION OF TIME
(Issued January 9, 1995)

01-2064
~~9-2064~~

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

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 1975-009
Idaho

ORDER APPROVING REVEGETATION SEED MIXTURE PLAN
(Issued December 30, 1994)

On December 13, 1994, the Idaho Power Company (licensee) filed a plan to revegetate areas affected during the construction of a new access road. The plan was filed pursuant to paragraph (C) of the Order Amending License issued October 17, 1994 for the Bliss Project.

Paragraph (C) required that a revegetation seed mixture plan be filed for Commission approval after consultation with the U.S. Fish and Wildlife Service (FWS), Bureau of Land Management (BLM), Idaho Department of Lands (IDL), and the Idaho Division of Environmental Quality (IDEQ). The seed mixture was required to provide adequate erosion control and have long-term benefits to wildlife.

The licensee consulted with the above agencies as well as the Natural Resources Conservation Service. A draft of the plan contained several native species of grasses, forbes, and shrubs. The plan also contained the non-native species crested wheatgrass (*Agropyron cristatum*) which is a species that is easily established in areas with low precipitation.

IDL concurred with the plan in a letter dated November 15, 1994. In a letter dated November 8, 1994, BLM requested that crested wheatgrass not be included in the reseeding mixture. The licensee held a meeting with IDEQ and FWS on November 15, 1994. It was agreed that crested wheatgrass would be eliminated from the revegetation mix. Thickspike wheatgrass (*Agropyron dasystachyum*) would be used in place of the crested wheatgrass only in the areas of the road cut. The agencies agreed that if native species were not successfully established after 2 growing seasons, that crested wheatgrass could be used to revegetate these areas.

The revegetation seed mixture plan satisfies the requirements of ordering paragraph (C). The revegetation seed mixture should provide sufficient erosion control and wildlife habitat; this plan should be approved.

The Director orders:

(A) The revegetation seed mixture plan filed on December 13, 1994, pursuant to ordering paragraph (C) of the Order Amending License, issued October 17, 1994, is approved.

DC-A-1

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(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 CFR § 385.713.


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

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Department of Water Resources

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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OCT 25 1994
Department of Water Resources

-2-

Idaho Power Company

Project No. 1975-008
Idaho

ORDER AMENDING LICENSE
(Issued October 17, 1994)

On July 11, 1994, Idaho Power Company, licensee for the Bliss Hydroelectric Project, FERC No. 1975, requested the Commission's authorization to construct an access road leading to the right (north) abutment of Bliss Dam.

Filing

In the filing, the licensee indicated that the road will be 16 feet wide and 310 feet long, aligned with the crest of the right abutment of the dam. Construction of the access road will involve the relocation of a distribution transformer, irrigation and potable water pipes, and construction of a concrete retaining wall at a turn-around area. The licensee included in the filing exhibit K and L drawings which show the proposed access road.

Environmental Considerations

The Commission issued an environmental assessment (EA) for the application.¹ There were two issues raised: the revegetation plan and cultural resources.

Revegetation

The U.S. Fish and Wildlife Service requested that crested wheatgrass (*Agropyron desertorum*) be eliminated from the revegetation seed mixture because it is an exotic species that outcompetes more desirable species of native grasses and forbs. They also wanted grazing prohibited in the disturbed and reseeded areas.

The licensee wanted to keep crested wheatgrass in its seed mixture, at a rate of less than 40 percent, because it was the species most likely to germinate. The licensee did agree to exclude cattle from the reseeded area until vegetation was well established.

¹ Environmental Assessment for the Bliss Hydroelectric Project, FERC No. 1975-008. This document is attached to this order.

There is apparent disagreement of whether crested wheatgrass should be included as a suitable component of the seed mixture to be used in revegetation. Since the revegetation of disturbed areas would not occur until late in the construction schedule, we are recommending that the licensee consult further with the agencies to determine a final mixture most likely to provide adequate erosion control and have long-term benefits to wildlife. The final proposal seed mixture would be filed for our approval.

Cultural Resources

The Idaho State Historic Preservation Officer (SHPO) recommended that it be notified in the event archaeological or cultural remains are unearthed during the construction. A license article requiring the licensee to consult with the SHPO if previously unidentified archaeological or historic sites are discovered during construction is provided.

Conclusion

The EA concludes that approval of the application would not result in a major federal action significantly affecting the quality of the human environment.

The exhibit K and L drawings conform to the Commission's rules and regulations.

The Director orders:

(A) The licensee is authorized to construct the access road leading to the right (north) abutment of the Bliss Dam, as proposed.

(B) If the licensee discovers any previously unidentified archaeological or historic sites during construction of the access road to the Bliss Dam, the licensee shall stop all land-clearing, land-disturbing, or spoil-producing activities in the vicinity of the site, shall consult with the Idaho State Historic Preservation Officer (SHPO), and shall file for Commission approval a cultural resources management plan to avoid or mitigate impacts to the significant resources, together with the written comments of the SHPO on the plan. Upon Commission approval the licensee shall implement the plan. The survey and the plan shall be based on the recommendations of the SHPO, shall be conducted and prepared by a qualified cultural resources specialist, and shall adhere to the Secretary of the Interior's Guidelines for Archaeology and Historic Preservation.

The plan shall contain the following: (1) a description of each discovered site, indicating whether it is listed or eligible to be listed on the National Register of Historic Places; (2) a

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company)

)

Project No. 1975-008
Idaho

NOTICE OF AVAILABILITY OF ENVIRONMENTAL ASSESSMENT

(October 14, 1994)

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's (Commission's) regulations, 18 CFR Part 380 (Order 486, 52 F.R. 47897), the Commission's Office of Hydropower Licensing has reviewed a non-capacity related amendment of license for the Bliss Hydroelectric Project, No. 1975-008. The Bliss Hydroelectric Project is located on the Snake River in Gooding County, Idaho. The application is for the construction of a gravel access road on the north abutment of Bliss Dam. An Environmental Assessment (EA) was prepared for the application. The EA finds that approving the application would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in the Public Reference Branch, Room 3104, of the Commission's offices at 941 North Capitol Street, N.E., Washington, D.C. 20426.

Lois D. Cashell
Secretary

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Department of Water Resources

ENVIRONMENTAL ASSESSMENT

APPLICATION FOR NON-CAPACITY RELATED AMENDMENT OF LICENSE

IDAHO POWER COMPANY

FERC PROJECT NO. 1975-008

IDAHO

Federal Energy Regulatory Commission
Office of Hydropower Licensing
Division of Project Compliance and Administration
825 North Capitol Street, N.E.
Washington, D.C. 20426

September 30, 1994

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Department of Water Resources

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 1975

Idaho 2102-2064-2065

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

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Department of Water Resources

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

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02-2064

Idaho Power Company

Project No. 1975-005
Idaho

ORDER AMENDING LICENSE
(Issued July 1, 1991)

On April 18, 1991, Idaho Power Company, filed with the Commission a request for an amendment for the Bliss Hydroelectric Project, FERC No. 1975.

The licensed project consists of three generators with a total installed capacity of 69,000 kW. The actual nameplate capacity of the generator is 75,000 kW, which exceeds what was licensed. 1/ This amendment would change the licensed capacity of the project to the actual nameplate capacity of 75,000 kW.

Operation of the project as amended would not result in any additional adverse environmental impacts other than those identified during processing the original application. Adherence to the conditions made a part of the original license would ensure that the operation of the project would not result in significant impacts to the quality of the human environment.

The Director orders:

(A) The license for the Bliss Hydroelectric Project, FERC No. 1975, is amended as provided in this order, effective the first day of the month in which this order is issued.

(B) Order paragraph (2) is revised to read as follows:

...; a powerhouse integral with the dam with the dam with initial installation of approximately 75,000 kilowatts in three units and provision for future installation of a fourth unit;...

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

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

1/ License was issued on March 2, 1948, 7 FPC 435.

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company)

Project No. 1975-004

~~Department of Water Resources~~

NOTICE OF AVAILABILITY OF ENVIRONMENTAL ASSESSMENT

(May 15, 1991)

In accordance with the National Environmental Policy Act of 1969 and the Federal Energy Regulatory Commission's regulations, 18 CFR Part 380 (Order No. 486, 52 F.R. 47910), the Office of Hydropower Licensing (OHL) has reviewed the application requesting authorization to construct an access road to the Bliss Dam Project on the Snake River in Elmore County, Idaho. The staff of OHL's Division of Project Compliance and Administration has prepared an Environmental Assessment (EA) for the proposed action. In the EA, staff concludes that approval of the amendment of license would not constitute a major federal action significantly affecting the quality of the human environment.

Copies of the EA are available for review in the Reference and Information Center, Room 3308, of the Commission's Offices at 941 North Capitol Street, NE, Washington, DC 20426.

Lois D. Cashell
Secretary

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MAY 13 1991

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Department of Water Resources

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UNITED STATES OF AMERICA FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 1975-004
Idaho

ORDER AMENDING LICENSE

(issued May 2, 1991)

On March 28, 1991, Idaho Power Company, licensee for the Bliss Hydro Electric Project, FERC No. 1975, requested the Commission's authorization to construct an access road leading to the Bliss Dam to accomplish repair works to the spillway gates.

The 6,600 feet road will provide access to the southern abutment of the Bliss Dam. Documents contained in the licensee's filing show that the road will not affect any federal lands and there will be no change in the project boundary.

The U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency, the U.S. Army Corps of Engineers, the Idaho Department of Lands, the Idaho Division of Environmental Quality, and the Idaho State Historic Preservation Officer (SHPO) were consulted for comments on this proposal. No objections to the proposed access road construction were identified by these resource agencies. The SHPO, however, recommended that in the event archeological remains are unearthed during construction its office should be notified immediately. An article has been included in this amendment requiring notification of the SHPO if previously unidentified sites are found.

Based upon the information contained in the licensee's application and the staff's independent assessment, approval of licensee's proposal to construct an access road would not constitute a major Federal action significantly affecting the quality of the human environment.

The Director orders:

(A) The licensee is authorized to construct the access road leading to the Bliss Dam as proposed.

(B) If the licensee discovers any previously unidentified archeological or historic sites during the course of constructing the access road to the Bliss Dam, the licensee shall stop all land-clearing, land-disturbing, or spoil-producing activities in the vicinity of the sites, shall consult with the Idaho State Historic Preservation Officer (SHPO), and shall file for Commission approval a cultural resources management plan to avoid or mitigate impacts to significant resources, together with the written comments of the SHPO on the plan. Upon Commission approval the licensee shall implement the plan. The survey and the plan shall be based on the recommendations of the SHPO, shall be conducted and prepared by a qualified cultural resources specialist, and shall adhere to the Secretary of the Interior's Guidelines for Archeology and Historic Preservation.

The plan shall contain the following: (1) a description of each discovered site, indicating whether it is listed or eligible to be listed on the National Register of Historic Places; (2) a description to the potential effect on each discovered site; (3) proposed measures for avoiding or mitigating the effects; (4) documentation of the nature and extent of consultation with the SHPO; and (5) a schedule for mitigating effects and conducting additional studies. The Commission may require changes to the plan.

The licensee shall not implement the cultural resources management plan or continue any land-clearing, land-disturbing, or spoil-producing activities in the vicinity of the discovered sites until informed by the Commission that the requirements of this article have been fulfilled.

(C) The licensee shall co-ordinate with the Commission's Portland Regional Office during the construction of the access road.

(D) 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

1/ Environmental Assessment, Construction of an access road at the Bliss Dam Project, FERC Project No. 1975-004, Federal Energy Regulatory Commission, dated April 30, 1991. This document is available in the Commission's Public files associated with this proceeding.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

02-2064

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

*- PKH
- AKD*

*- Copies of these
articles should
go in each
water rights
file.*

MEMORANDUM

March 30, 1976

TO: Steve Allred *CA*

FROM: Ralph Mellin *R*

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 2,500 cfs claim)</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 added a stipulation to the license similar to the stipulation in the Twin Falls power 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

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



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

MEMORANDUM

TO: Ralph Mellin, Coleader, Snake River Basin Studies
FROM: Dave Tuthill, Supervisor, Adjudications
RE: Water Rights for Power Production on the Snake River
DATE: February 4, 1976

In response to your memorandum dated January 30, 1976, the attached list contains those flow power filings below Milner. We have no record of any additional filings between Milner and American Falls except for the 2 decreed rights at Minidoka appended to the list, so all those of your concern should be included.

Let me call your attention to the last column on the list, entitled "condition." A condition of approval for power filings which protects future irrigation rights to the water has been added to licenses and permits since around 1947. However, this condition was included in at least some of the Federal Power Commission licenses for power rights prior to that year. This is explained in the attached letter, which was written in 1937 by a Bureau of Reclamation representative.

Not included in the list are Federal Power Commission license numbers for the dams. Although some of these numbers are in our files, they may not be correct, as major construction at a dam sometimes causes an existing license number to be changed. It would be best to obtain these numbers directly from the Federal Power Commission.

Let us know if you would like more information.

Det

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Reclamation

603 Post Office Building
Portland, Oregon
June 21, 1937

Mr. R. W. Faris,
State Commissioner of Reclamation
Boise, Idaho.

My dear Mr. Faris:

In letter under date of June 18, 1937 (copy of which is enclosed), Mr. Lynn Crandall, District Engineer of the Geological Survey and Watermaster in charge of District No. 36, has called our attention to two printed notices which are now being published, giving notice of proof of completion of works and application of water to beneficial use by the Idaho Power Company.

The first of these notices is for 300 c.f. per second of the waters of Snake River under Permit 18107. The place where water is used is designated as Lower Salmon Falls, Gooding County. This proof, it is stated in the notice, is to be made at 11 o'clock a.m. on June 29 at Boise, Idaho, before M. E. Hughes, notary public, at 1220 Idaho Street.

The second notice is for 1500 c.f. per second of the waters of Snake River under Permit 17070. The place where this water is used is designated as "at the Twin Falls Power Station in Lot 3 of Section 4, in Township 10 South of Range 18 East B. M., in Twin Falls County, Idaho". The date of priority claimed in connection with this right at the Twin Falls power plant is referred to as April 2, 1929.

In this connection we wish to call attention to the fact that both of these power developments of the Idaho Power Company are located in whole or in part on public lands and that the license issued by the Federal Power Commission in connection with the Twin Falls Power Plant of the Idaho Power Company contains, among other things, the following stipulation and agreement, which is set out as article 14, of the license issued by the Federal Power Commission to the Company:

"Article 14. As a condition of this license, the Licensee, for itself, its successors and assigns, hereby stipulates and agrees that all rights to the use of water for power purposes heretofore or hereafter acquired for the development of power at the site of this project shall be held and considered at all times to be subject, inferior, and subordinate to all rights, heretofore or hereafter acquired by the United States or other parties for irrigation purposes, except (a) the right to use for power development at this project the water from the 45,000 acre feet of primary storage capacity which the Licensee holds in American Falls

Reservoir under paragraph 16 of that certain contract between the United States of America and Idaho Power Company, dated June 15, 1923, and the discharge of which it may control under the terms of said contract; (b) the right to use for power development at this project the seepage, percolation, drainage, spring or springs, waste, and/or other influent waters which do not flow or spill over Milner Dam but which enter in, arise in, and flow in and along the channel of Snake River between the down-stream toe of Milner Dam in Snake River, Idaho, and the site of the project covered by this license. Licensee further agrees, for itself, its successors and assigns, to forego any and all claims which it might otherwise have for damages or other relief, in connection with any power rights at the site of this project, other than those mentioned in (a) and (b) above, and which are necessary for irrigation purposes, and it is actually agreed by the parties hereto that this license neither expressly nor impliedly has modified, relinquished, abandoned, or surrendered, nor does hereby modify, relinquish, abandon, or surrender any of the Licensee's rights and privileges under said contract of June 15, 1923, or any of its rights and privileges heretofore or hereafter acquired to the use of water or waters for power purposes at any other point or points.

This stipulation and agreement shall be considered as a covenant running with the title to the said power plant at Twin Falls, and all rights in connection therewith, and the Licensee agrees to execute and acknowledge under authority of a suitable resolution of its board of directors, a recordable contract or deed embodying the provisions, conditions, and limitations set out in the foregoing stipulation and agreement, so that the same may be recorded in the counties in which said power sites are located.

This stipulation shall be effective to bind the Licensee and its successors and assigns, without signature or execution by or on behalf of the United States, and shall become effective for such purposes upon the execution of the license."

When the license in question was under consideration, we insisted on the above quoted stipulation for the protection of the present and future irrigators of the Snake River Valley. It seems to us that it would be contrary to sound public policy to allow any additional power rights to attach for use in the Snake River Canyon to such an extent as would require the waste of water over Milner Dam, since all the water available in Snake River above the Milner Dam is needed for irrigation purposes even at the present time (especially so in low water years when there have been serious water shortages even for the lands now under irrigation) and with increasing irrigation requirements, and construction of additional reservoirs to store flood water and to carry over excess water of high water years for use in low water years, the need to conserve all the available water above Milner Dam for irrigation purposes will become more and more evident as the years go on. On the other hand there are many places in the State of Idaho where additional power can be developed without infringing on the water supply that is needed for irrigation purposes.

It seems to us that any license or certificate issued by the State should contain limitations similar to those imposed by the Federal Power Commission and as the company has expressly agreed to such limitations in its license from the Federal Power Commission, it should not object to having a similar limitation inserted in any license or certificate issued by the State.

17070

It is noticed that the date of priority claimed for the 1500 second feet at Twin Falls is earlier than the date of priority secured for the water filings for the Island Park Reservoir, now approaching completion on the North Fork of Snake River, and also prior to the permit issued by the State Engineer of Wyoming for the small reservoir at Grassy Lake, both of which reservoirs are highly important to the people on the North Fork of Snake River and in the Teton Valley. Attention is also called to the fact that for several years past the people in the Upper Snake River Valley have been urging the government to construct another reservoir on the South Fork of Snake River. Any additional power rights which would require the waste of water over Milner Dam would conflict with both of these propositions and any other reservoirs which may be built in future years to conserve water for irrigation purposes in the Snake River Valley above the Milner Dam.

It may be that by means of the stipulation already inserted in the license issued by the Federal Power Commission that we may be able to protect the water users of the Snake River against any claim of the power company for additional water over Milner Dam but I think that the water users of the Snake River Valley should also have the additional protection of a similar provision in any license or certificate issued by the State Engineer, at least to the extent of recital in such certificate or license of the limitations which have been imposed by the Federal Power Commission and which have been agreed to by the company.

Another thing which I think we should all keep in mind with reference to any future applications for power rights at sites where no irrigation benefits will accrue from the proposed development is this. It will probably be found that in most cases future irrigation developments in southern Idaho, particularly large and expensive reservoirs, will be so costly that it will be essential to the feasibility of the project that a very substantial part of the cost be paid out of power revenues secured as incidental to the construction of the irrigation works. As the power market in southern Idaho is a very limited one and all the growth in such market that is likely to occur during this generation might very well be supplied from the power which may be developed in connection with and incidental to the proposed irrigation developments, the sale of which would be essential to the feasibility of the irrigation project, I believe that no more power permits should be issued at sites in southern Idaho where there are no irrigation benefits to be derived, until we can ascertain whether the available market likely to be developed in the near future cannot be fully supplied from the power to be developed in connection with irrigation works.

Very truly yours,

/s/ B. E. STOUTEMYER
District Counsel

encl
cc - Mr. Crandall

17070

FLOW POWER FILINGS ALONG THE SHAWNEE RIVER IN IDAHO BELOW MILNER DAM

RIGHT NO. & TYPE	NAME OF DAM	NAME OF OWNER	PRIORITY	LOCATION Sec. Twp. Rge.			AMOUNT (CFS)	CONDITIONED* (Yes, No)
License No. 02-2032	x Swan Falls	Idaho Power Company	7-29-1919	18	2S	1E	4,000	No
License No. 02-4000		Swan Falls Power Co.	1-17-1900	18	2S	1E	1,840	No
License No. 02-4001		Swan Falls Power Co.	4-17-1900	18	2S	1E	1,460	No
Decree No. 02-0004	Swan Falls	Trade Dollar Mining Co.	4-02-1907	18	2S	1E	2,150	No
License No. 02-2035	x Shoshone Falls	Idaho Power Company	8-09-1920	36	9S	17E	1,000	No
License No. 02-2056	x Twin Falls	Idaho Power Company	4-02-1929	4	10S	18E	1,050	No
License No. 02-2057	x Upper Salmon Falls	Idaho Power Company	4-02-1929	2	8S	13E	6,500	No
License No. 02-2001	x Lower Salmon Falls	Idaho Power Company	7-02-1908	2	7S	13E	1,300	No
License No. 02-2059		Idaho Power Company	3-20-1935	2	7S	13E	250	No
License No. 02-2060		Idaho Power Company	8-08-1946	2	7S	13E	14,000	No
License No. 02-2064	x Bliss	Idaho Power Company	9-04-1947	7	6S	12E	12,000	No
License No. 02-2065		Idaho Power Company	12-11-1947	7	6S	12E	3,000	No
License No. 02-2080	C J Strike	Idaho Power Company	6-21-1950	34	5S	4E	15,420	Yes
Permit No. 02-2207	Guffey	U. S. Bureau of Rec.	9-14-1962	27	1S	2W	15,000	Yes

*This refers to the presence or absence of a condition of approval, or amendment, on the license or permit which states that it is not to be affected by the following:

unsub
flow
river

9450

1000

6500

15,550

15,000

FPC Decree
to 1974
to 1974
to 1974

to 1997

to 1996

FLOW POWER FILINGS ALONG THE SNAKE RIVER IN IDAHO BELOW HELLER DAM

RIGHT NO. & TYPE	NAME OF DAM	NAME OF OWNER	PRIORITY	LOCATION Sec. Twp. Rge.			AMOUNT (CFS)	CONDITIONED* (Yes, No)
License No. 03-2017	Hell's Canyon	Idaho Power Company	5-29-1964	16	22N	3W	9,000	Yes
License No. 03-2020		Idaho Power Company	5-18-1953	16	22N	3W	21,000	Yes
License No. 03-2023	Brownlee	Idaho Power Company	10-17-1952	2	17N	5W	20,000	Yes
License No. 03-2024		Idaho Power Company	2-11-1964	2	17N	5W	10,000	Yes
Permit No. 03-7018		Idaho Power Company	12-24-1975	2	17N	5W	5,000	Yes
License No. 03-2019	Oxbow	Idaho Power Company	6-19-1947	21	19N	4W	16,000	Yes
License No. 03-2025	Oxbow	Idaho Power Company	2-11-1964	21	19S	4W	14,000	Yes
Permit No. 03-2021	High Mountain Sheep	Pac. Northwest Power	2-11-1955	30	29N	3W	25,000	Yes
Permit No. 03-2022	Pleasant Valley	Pac. Northwest Power	2-11-1955	29	27N	1W	25,000	Yes
Permit No. 02-7185	Coolant for New Plant	Idaho Power Company	1-03-1975	30	1S	4E	30	No
Decree 01-0217	Minidoka	U. S. Sec. of Interior	6-15-1909	1	9S	25E	2,500	No
Decree 01-0219	Minidoka	U. S. Sec. of Interior	7-01-1912	1	9S	25E	200 <i>2,170</i>	No

*This refers to the presence or absence of a condition of approval, or amendment, on the license or permit, which states that future



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

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

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	14 - <i>As depicted</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 Bossaw

February 24, 1974

<u>Project No.</u>	<u>Name</u>	<u>License Expira- tion Date</u>	<u>Pertinent License Articles</u>
1975	Bliss	2-28-98	20
2061	Lower Salmon	12-23-97	30
2258	American Falls	12-31-93	14, 31, 32, 33

Ag. duplicate

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 H. Capitol Street, Washington, D. C. 20426. There would be a charge for reproduction.

Very truly yours,

H. Frank Thomas
H. Frank Thomas
Regional Engineer

Enclosures

2056

Article 13. Before beginning construction, the Licensee shall prepare and submit plans for the initial section of the dam to an elevation of 3,507 feet, and before raising the crest of the dam above the initial elevation of 3,507 feet, the Licensee shall prepare and submit plans for preliminary erosion below the downstream toe of the structure and shall secure the approval thereof by the Commission.

Article 14. As a condition of this license, the Licensee, for itself, its successors and assigns, hereby stipulates and agrees that all rights to the use of water for power purposes heretofore or hereafter acquired for the development of power at the site of this project shall be held and considered at all times to be subordinate, inferior, and subordinate to all rights heretofore or hereafter acquired by the United States or other parties for irrigation purposes, except (a) the right to use for power development at this project the water from the 45,000 acre-feet of primary storage capacity which the Licensee holds in American Falls Reservoir under paragraph 15 of that certain contract between the United States of America and Idaho Power Company, dated June 15, 1923, and the discharge of which it may control under the terms of said contract; (b) the right to use for power development at this project the seepage, percolation, drainage, spring or springs, waste, and/or other influent waters which do not flow or spill over Milner Dam but which enter in, arise in, and flow in and along the channel of Snake River between the down-stream toe of Milner Dam in Snake River, Idaho, and the site of the project covered by this license. Licensee further agrees, for itself, its successors and assigns, to forego any and all claims which it might otherwise have for damages or other relief, in connection with any power rights at the site of this project, other than those mentioned in (a) and (b) above and which are necessary for irrigation purposes, and it is mutually agreed by the parties hereto that this license neither expressly nor impliedly has modified, relinquished, abandoned, or surrendered, nor does hereby modify, relinquish, abandon, or surrender any of the Licensee's rights and privileges under said contract of June 15, 1923, nor any of its rights and privileges heretofore or hereafter acquired to the use of water or waters for power purposes at any other point or points.

This stipulation and agreement shall be considered as a covenant running with the title to the said power plant at Twin Falls, and all rights in connection therewith, and the Licensee agrees to execute and acknowledge under authority of a suitable resolution of its board of directors, a recordable contract or deed embodying the provisions, conditions, and limitations set out in the foregoing stipulation and agreement, so that the same may be recorded in the counties in which said power sites are located.

This stipulation shall be effective to bind the Licensee and its successors and assigns, without signature or execution by or on behalf of the United States, and shall become effective for aum purposes upon the execution of the license.

Article 23. 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

10/23/51

Article 29. To the extent that it has not already been so done, the Licensee shall clear all lands in the bottom and margins of the reservoir between high-water elevation and a plane at low-water elevation, and shall cut all trees and brush within the area below the low-water elevation so that no brush or trees will protrude above said elevation; and shall dispose of all temporary structures, unused timber, slash, refuse, or other material resulting from the clearing of the lands for from the construction of the project works. In addition, all trees along the high-water line of the reservoir which die during the operation of the project shall be removed. The clearing of the land and the disposal of the material shall be done with due diligence and to the satisfaction of the authorized representative of the Commission.

lower
Salmon

Article 30. The Licensee agrees that should the project works be damaged or the power output of the project be reduced by subsequent upstream diversion of the waters of the Snake River by the United States in connection with its irrigation and conservation program, then the United States shall have the option, in full settlement of any and all claims by the Licensee, of paying such damages as the Licensee shall then be entitled to receive as a matter of law, or of acquiring the Licensee's Project in the manner provided by the Act.

02-2001
02-205,
02-206

Article 31. The Commission reserves the right to determine at a future date after further investigation reasonable requirements and regulations in the interest of fish and wildlife.

Article 32. The Licensees shall pay to the United States the following annual charges:

- (i) For the purpose of reimbursing the United States for the costs of administration of Part I of the Act, one (1) cent per horsepower on the authorized installed capacity (65,800 horsepower), plus two and one-half (2½) cents per 1,000 kilowatt-hours of gross energy generated by the project during the calendar year for which the charge is made;
- (ii) For the purpose of recompensing the United States for the use, occupancy and enjoyment of its lands, \$173.62.

Article 33. The actual legitimate original cost, estimated where not known, and the accrued depreciation of such parts, if any, of the old development that become a part of the new project, shall be determined by the Commission, as of the effective date of this license, namely December 24, 1947, in accordance with the Act and the rules and regulations of the Commission, and such original cost less such accrued depreciation, so determined, shall be the net investment in the project as of such effective date.

Article 11. The Licensee shall, after notice and opportunity for hearing, coordinate the operation of the project, electrically and hydraulically, with such other projects or power systems and in such manner as the Commission may direct in the interest of power and other beneficial public uses of water resources, and on such conditions concerning the equitable sharing of benefits by the Licensee as the Commission may order.

Article 12. Whenever the Licensee is directly benefited by the construction work of another licensee, a permittee, or of the United States of a storage reservoir or other headwater improvement, the Licensee shall reimburse the owner of the headwater improvement for such part of the annual charges for interest, maintenance, and depreciation thereof as the Commission shall determine to be equitable, and shall pay to the United States the cost of making such determination as fixed by the Commission. For benefits provided by a storage reservoir or other headwater improvements of the United States the Licensee shall pay to the Commission the amounts for which it billed from time to time for such headwater benefits and for the costs of making the determinations pursuant to the then current Commission Regulations under the Federal Power Act.

Article 13. The United States specifically retains and safeguards the right to use water in such amount, to be determined by the Secretary of the Army, as may be necessary for the purposes of navigation on the navigable waterway affected; and the operations of the Licensee, so far as they affect the use, storage and discharge from storage of waters affected by the license, shall at all times be controlled by such reasonable rules and regulations as the Secretary of the Army may prescribe 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.

Article 14. On the application of any person, association, corporation, Federal agency, State or municipality, the Licensee shall, after notice and opportunity for hearing, permit such reasonable use of its project properties, including works, lands and water rights, or parts thereof, as may be ordered by the Commission in the interest of comprehensive development of the waterway or waterways involved and the conservation and utilization of water resources of the region, for water supply, or for the purpose of steam-electric, irrigation, industrial, municipal, or similar uses.

*American
Facts*

The Licensee shall receive reasonable compensation, at least full reimbursement for any damages or expenses which the joint use causes him to incur, for use of its reservoir or other project properties or parts thereof for such purposes, any such compensation to be fixed by the Commission either by approval of an agreement between the Licensee and the party or parties benefiting or after notice and opportunity for hearing. Applications shall contain information in sufficient detail to afford a full understanding of the proposed use, including satisfactory evidence that the applicant possesses necessary water rights pursuant to applicable State law, or a showing of cause why such evidence cannot be concurrently submitted, and a statement as to the relationship of the proposed use to any State or municipal plans or orders which may have been adopted with respect to the use of such waters.

Article 15. In the construction or 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 or obstructing traffic or endangering life. None of the provisions of this article are 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 16. The Licensee shall, for the conservation and development of fish and wildlife resources, construct, maintain, and operate, or arrange for the construction, maintenance and operation of such reasonable facilities and comply with such reasonable modifications of the project structures and operation as may be ordered by the Commission upon its own motion or upon the recommendation of the Secretary of the Interior or the fish and wildlife agency or agencies of any State in which the project or a part thereof is located, after notice and opportunity for hearing.

Article 17. Whenever the United States shall desire, in connection with the project, to construct fish and wildlife facilities or to improve the existing fish and wildlife facilities at its own expense, the Licensee shall permit the United States or its designated agency to use, free

United States under the license, for the purpose of maintaining the project works or otherwise, shall absolutely cease at the end of the license period, unless Licensee has obtained a new license pursuant to the then existing laws and regulations, or an annual license under the terms and conditions of this license.

Article 29. The Commission reserves the right to determine at a later date what, if any, lands of the United States are occupied or affected by the project works and to fix the annual charge for the use thereof.

Article 30. The Licensee shall cooperate with the U.S. Department of the Interior's Bureau of Reclamation, the Office of the Idaho State Historic Preservation Officer, and other appropriate agencies (1) in the identification of historical resources within the project boundary, (2) in developing a plan for protection of such structures including the Old Island Powerhouse, and (3) in developing and executing plans for the improvement of such resources in the interest of recreation, education, and historic preservation, including the provision of public access to such structures.

Article 31. The Licensee shall operate its facilities at American Falls in such a manner as not to interfere with the release of water by the Government at American Falls Dam and, when required by the United States, acting through the Department of the Interior, the Licensee shall draw down the elevation of water in its forebay pool sufficiently to permit the waters to flow from the Government's American Falls Dam into the forebay of the Licensee's installation at rates of flow as determined by the Department of the Interior.

Article 32. The project shall be operated in such a manner as will not conflict with the future depletion in flow of the waters of Snake River and its tributaries, or prevent or interfere with the future upstream diversion and use of such water above the backwater created by the project for the irrigation of lands and other beneficial consumptive uses in the Snake River watershed.

Article 33. This license shall not be construed as affecting in any way any claim the licensee may have concerning its water rights acquired pursuant to State law. Those rights, not this license, shall govern any claim the licensee may advance against the United States or other

*American
Falls*

parties claiming through the United States for any damages resulting from any future depletion in the flow of the waters of the Snake River and its tributaries for the irrigation of lands or other beneficial consumptive uses.

Article 34. The Licensee shall, to the satisfaction of the Commission's authorized representative, install and operate such signs, lights, sirens or other devices below the powerhouse to warn the public of fluctuations in flow from the project as may be reasonably needed to protect the public in its recreational use of project lands and waters.

Article 35. The Licensee shall, within two years from the issuance of the license, file for Commission approval an Exhibit R and an Exhibit S for the project conforming to the requirements of Section 4.41 of the Commission's Rules and Regulations under the Federal Power Act. These exhibits shall be prepared in cooperation with the appropriate State and Federal agencies with Exhibit R specifically incorporating a solid waste management plan to include (a) the location of solid waste receptacles to be provided at public areas, picnic areas, and boat access areas, (b) schedules for collection from the receptacles, (c) provisions for including in the subject plan any public use areas as they may be developed, and (d) disposal sites and methods of disposal.

Article 36. Within two years from the issuance of this order, the Licensee shall enter into an agreement with the Bureau of Reclamation, United States Department of the Interior, to effect the maximum justifiable development of the power resources of the American Falls site consistent with comprehensive development for other beneficial public purposes.

Article 37. The Licensee shall file for surrender of license for this project when its generating capacity is rendered inoperable by reason of the construction and/or operation of a more comprehensive hydroelectric development at American Falls.

Article 38. The Licensee shall continue to consult and cooperate with the Idaho Department of Parks and Recreation, Idaho Fish and Game Department, Fish and Wildlife Service and the Bureau of Reclamation of the U.S. Department

State of Idaho
License and Certificate of Water Right

Water License No. Priority Amount

THIS IS TO CERTIFY that

of _____, made application for a permit to appropriate the public waters of the State of Idaho, dated _____, 19 ____; that Permit No. _____ was issued under said application; that Certificate of Completion of works, with a carrying capacity of _____ second feet, was issued thereunder on _____, 19 ____, showing that said works were completed on the _____ day of _____, 19 ____; and that on the _____ day of _____, 19 ____,

of _____, State of _____, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of a right to the use of the waters of _____, a tributary of _____ for the purpose of _____, under Use Permit No. _____ of the _____, 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 Commissioner of Reclamation of Idaho and entered of record in Volume _____ of Licenses, at page _____, on the _____ day of _____, 19 ____;

The right hereby confirmed dates from _____, 19 ____;

The Point of Diversion is located

in the _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Sec. _____, Tp. _____, R. _____, B. M. _____ 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 _____ cubic feet per second.

(BLISS)

Concrete dam and powerhouse provide ^{reservoir} ~~reservoir~~ and head for electrical power generation at approximately 55% load factor. Normal maximum reservoir elevation at dam, 2,654 feet, with 5-foot draw-down to provide pondage and regulation for fluctuations in system power demands. Minimum discharge flow, 2,500 cfs.

42% (LOWER SALMON)

Concrete dam and powerhouse provide ^{reservoir} ~~reservoir~~ and head for electrical power generation at approximately 40% load factor. Normal maximum reservoir elevation at dam, 2,798 feet, with 6-foot draw-down to provide pondage and regulation for fluctuation in system power demands. Minimum discharge flow, 1,000 cfs.

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 Commissioner of Reclamation, affixed at Boise, Idaho, this _____ day of _____, 19 ____.

Commissioner of Reclamation.

20223

STATE OF IDAHO
License and Certificate of
Water Right

Water License No.....

To

.....

Source of Supply.....

.....

..... County

Amount..... Sec. Feet

Point of Diversion.....

.....

Place of Use.....

.....

Purpose

.....

Date of Priority.....

Recorded

in Book..... of..... Page.....

PARTMENT

twenty days of the date of services of this summons upon you; and you are further notified that unless you so appear and plead to said complaint within the time herein specified the plaintiff will take judgment against you as prayed in said complaint. The purpose of this action is to clear and quiet title and quiet title to the property described in the caption hereof in the plaintiff free and clear of all estate, liens, claims and demands of the defendants or any of them and decreeing the plaintiff to be the owner of said property free and clear of all claims and demands of the defendants and each of them.

WITNESS my hand and the seal of said court this 26th day of November, 1947.

BERT BOWLER, Clerk
M. F. Ryan, Gooding, Idaho
Attorney for Plaintiff. 6-10

FEDERAL POWER COMMISSION, Washington 25, D.C. Public notice is hereby given, pursuant to the provisions of the Federal Power Act (16 U.S.C. 791-825r), that Idaho Power Company, of Boise, Idaho, has amended its application for license for proposed major Project No. 1975 (Bliss). The project as now proposed will

be located on the Snake River, in Elmore, Gooding, and Twin Falls Counties, Idaho, and will consist of a concrete dam in lots 5 and 10, section 7, T. 4 S., R. 12 E., Boise meridian (about 2 miles downstream from the site originally proposed), 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; transmission lines connecting with the company's 138-kilovolt transmission system; and appurtenant works. Any protest against the approval of this application or request for hearing thereon, with the reasons for such protest or request and the name and address of the party or parties so protesting or requesting, should be submitted before January 29, 1948, to the Federal Power Commission, Washington 25, D.C. By order of the Commission: Leon M. Fuquay, Secretary. 7-10

NOTICE OF ATTACHMENT

In the District Court of the Fourth Judicial District of the State of Idaho, in and for the County of Gooding.

ESSIE McHAN,

Plaintiff

vs.

E. J. McHAN,

Defendant

JUDICIAL STATEMENT
DISTRICT NO. 3
COUNTY, IDAHO
ENDING DECEMBER

✓
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 Lots 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.

20223

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

20223

IDAHO POWER COMPANY
BOISE, IDAHO

September 26, 1950

RECEIVED
SEP 29 1950
Department of Reclamation

C
O
P
Y

James W Perry Agency
605 Eastman Building
Boise, Idaho

Re: Water Power Bond No 2220639
Dam Permit No 20223

Gentlemen:

The captioned water power bond is due to expire December 8, 1950, unless renewal is desired.

The Company has proved up on the water permit on the Bliss Power Plant, so the bond can be allowed to expire as of its present expiring date.

Yours very truly,

(Sgd) G H Petersen

G H Petersen
Special Agent

GHP:red

/ cc - Mr Mark R Kulp
State of Idaho
Department of Reclamation

20223

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,

MARK R. HULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20223



IDAHO POWER COMPANY

BOISE, IDAHO

May 15, 1950

RECEIVED
MAY 17 1950
Department of Reclamation

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.

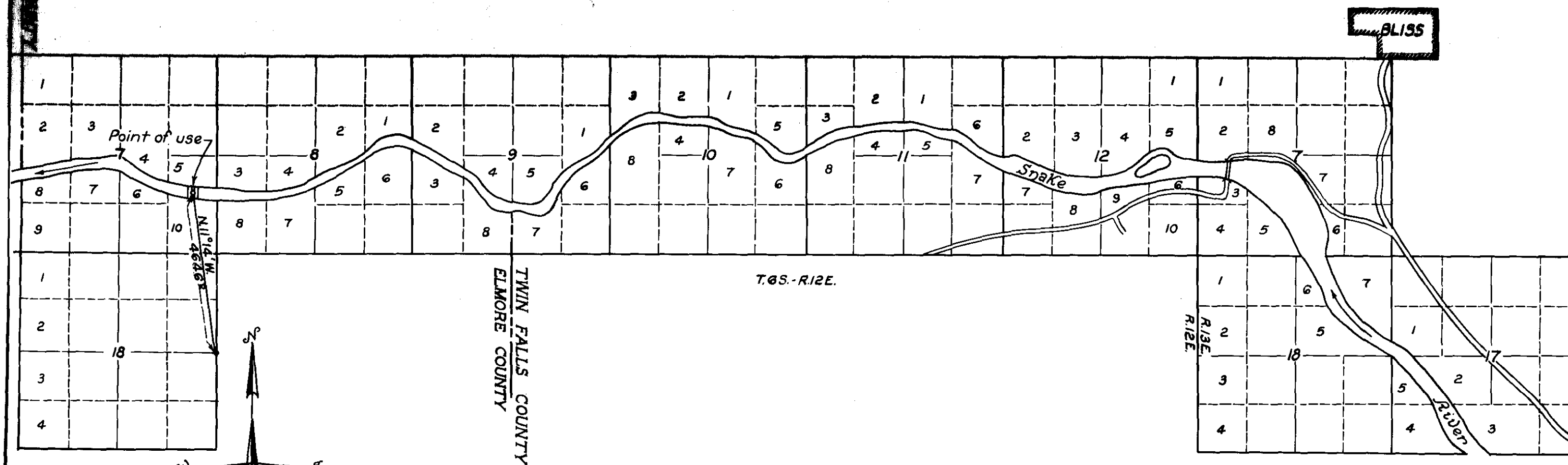
Very truly yours,

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

A C Inman
Secretary

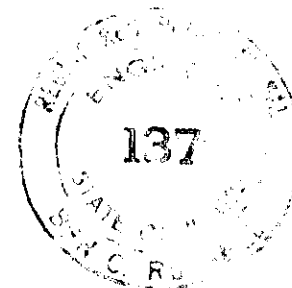
ACI:mb
Encl
cc: T E Roach/B C Russell/Central Files

20223



I, B.C. RUSSELL, OF BOISE, IDAHO, AN ENGINEER LICENSED BY THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS MAP WAS MADE FROM AN ACTUAL SURVEY MADE UNDER MY DIRECTION AND CORRECTLY SHOWS THE POSITION OF WORKS THEREON.

B.C. Russell
ENGINEER



MAP TO ACCOMPANY APPLICATION
FOR WATER PERMIT
UNDER SECT. 41-202, IDAHO CODE-ANNO-1932

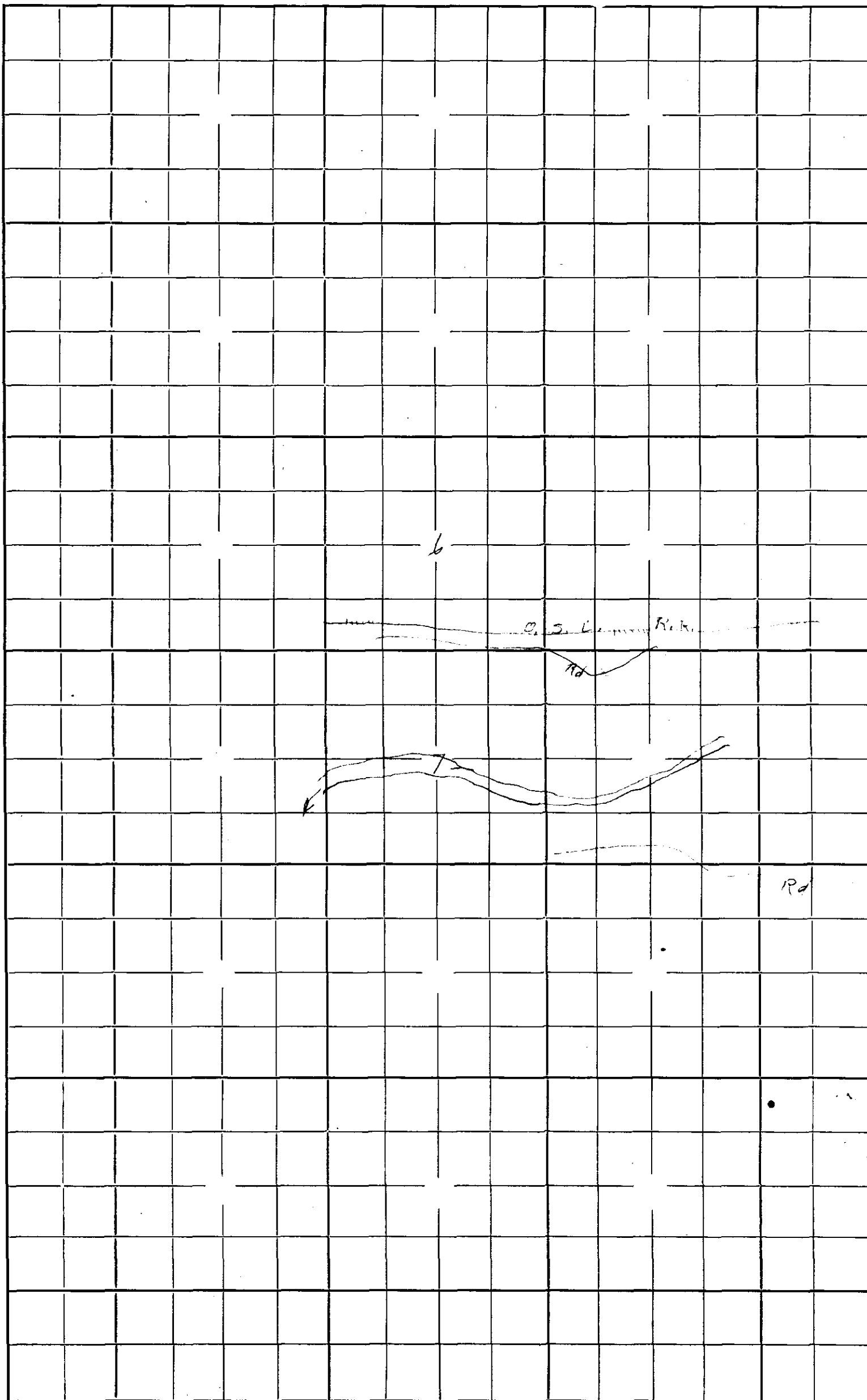
BLISS PROJECT

IDAHO POWER COMPANY
BOISE IDAHO

SCALE: 2 IN. = 1 MILE

AUG. - 1947

B-7049



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

20223

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. ³2022~~4~~ & 20262

Notes

REPORT ON PROOF OF Completion of works and Beneficial use

20223 12000
20262 3000

20223-12000 cfs.
20262 3000

Maximum pool regulation 2654 feet MSL
5 foot pondage regulation

20223 Minimum release 2500 cfs for Dec 20223 and 20262
20262 " " 2500 cfs for Dec 20262 and 20223

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

Permit No. 20223 and 20262

This proof is for Completion of works and Beneficial use In Water District No. _____

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

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the Lots 5 and 10 of Section 7

T. 6 S. R. 12 E. County of Elmore and Gooding

4. Describe works as they exist, giving dimensions and capacities of same: _____

5. Water is used for: Generation of electric power

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

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

Place of use: Lots 5 and 10, Section 7, Twp. 6 South, Range 12 East, B.M.
and approximately 4,646 feet Northerly from the East quarter corner of Section 18,
said township and range.

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

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

Remarks: Referred to above

No further work

This examination was made on the _____ day of _____, 19 _____

(Signed) _____

20223

20262

Examiner.

Idaho Power Company
Boise, Idaho

Permit No. 20223 and 20262

Examination for Completion of Works
and Beneficial Use

County Elmore & Gooding

INSTRUCTIONS TO EXAMINERS

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

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO.s 20223 and 20262

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Myron Swendsen, 58, Civil Engineer.

410 South Capitol Boulevard, Boise, Idaho.

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No.s 20223 and 20262? How long have you known him and where does he reside?

Ans. Yes, more than 25 years.

Ques. 3. Have you read or heard read said Permit No.s 20223 and 20262, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Snake River at Idaho Power Company Bliss dam and power plant in Lots 5 and 10, Section 7, Township 6 South, Range 12 East, B.M. Works consist of concrete dam and power house across river; spillway has five tainter gates with approximately 95,000 cfs capacity.

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

Ans. At least 16,000 cfs; on May 12, 1950. Plant records inspected show actual use of 16,000 cfs.

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

Ans. Water is used for generation of electric power at Idaho Power Company Bliss power plant.

20223

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

Ans. Power plant consists of 3 vertical turbo-generator units of 25,000 kw rated capacity each, with total actual capacity of 80,000 kw. Water is stored in reservoir during light load periods, and released at full plant capacity as needed in system peak load periods. Maximum reservoir fluctuation about 5 feet; minimum release, approximately 2,500 cfs.

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

Ans. Not applicable.

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

Ans. No.

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

Ans. On May 12, 1950, I witnessed beneficial use of 16,100 cfs of water, producing 82,800 kw of electric power at Bliss plant.

(Signed) *Myron Sundeen*
62 Dec 153

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 15th day of May, A. D. 19 50.

My commission expires

JH Petersen
Notary Public residing at Boise, Idaho Notary Public.
My commission expires July 20, 1952.

20223

PERMIT NO.s 20223 and 20262

Proof of Completion of Works

DEPOSITION OF HOLDER

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

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

1220 Idaho Street, Boise, Idaho.

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

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

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

Ans. 15,000 cfs: 12,000 cfs under Permit No 20223, issued December 3, 1947, and 3,000 cfs under Permit No 20262, issued January 29, 1948; waters of Snake River, in Lots 5 and 10, Sec 7, T 6 S, R 12 E, B M.

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

Ans. Electric power generation.

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

Ans. Yes; full use of all 3 generators of Bliss power plant first made on March 9, 1950. In excess of 16,000 cfs has been turned into works and used, producing 80,000 kw of power.

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

Ans. Yes.

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

Ans. Not applicable.

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

Ans. Concrete dam, 141 feet high (from bottom of canyon crevice); length at top, 604 feet; length at bottom, approximately 350 feet. Concrete power plant in dam; steel floodgates will handle 95,000 cfs. Three turbo-generator units, 25,000 kw rated capacity each. Actual total generating capacity: 80,000 kw at approximately 70' head. Total cost of works: \$ 12,395,500. (Sign here.) B. C. Russell

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

County of Ada, State of Idaho, on this 8th day of May A. D. 1950.

J. H. Petersen
Notary Public, residing at Boise, Idaho
My Commission expires 2023

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

Permit Nos. 20223 and 20262

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Henry L. Senger, Civil Engineer,

1101 North 20th Street, Boise, Idaho.

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No.s 20223 and 20262, authorizing the diversion of 15,000 second-feet of the waters of Snake River, at Bliss power plant for hydroelectric purposes? How long have you known him, and where does he reside?

Ans. Yes; more than 35 years. Main office: 1220 Idaho Street, Boise, Idaho.
20223

Ques. 3. Have you read or heard read said Permit No.s 20262, and are you familiar with its terms and conditions?

Ans. Yes.

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

Ans. Not applicable.

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

Ans. Yes.

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

Ans. Concrete dam and power plant approximately 600 feet long across Snake River. Dam has five tainter gates capable of discharging 95,000 cfs flood waters. Plant consists of 3 - 25,000 kw rated capacity units, will utilize in excess of 16,000 cfs generating 80,000 kw of electric power.

(Sign here.)

Engineer License No. 14.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada, State of Idaho, on this 15th day of May, A. D. 1950.

20223

JH Petersen
Notary Public for Idaho
My Comm. Expires Jan 21, 1953.

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

Permit No.s 20223 and 20262

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

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

Ans. Myron Swendsen, Civil Engineer,410 South Capitol Boulevard, Boise, Idaho.

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No.s 20223 and 20262, authorizing the diversion of 15,000 second-feet of the waters of Snake River, at Bliss power plant for hydroelec/ purposes? How long have you known him, and where does he reside?

Ans. Yes; more than 25 years. Office: 1220 Idaho Street, Boise, Idaho.
20223 and

Ques. 3. Have you read or heard read said Permit No.s 20262, and are you familiar with its terms and conditions?

Ans. Yes.

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

Ans. Not applicable.

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

Ans. Yes.

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

Ans. Concrete dam across Snake River, approximately 600 feet long, containing power plant and spillway with 5 tainter gates with capacity of passing 95,000 cfs. Power plant consists of 3 vertical water-wheel and generator units, each with rated capacity of 25,000 kw. Operating at full capacity will generate 80,000 kw, utilizing 16,000 cfs.

(Sign here.)

Myron Swendsen
Engineer License No 153.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise County of Ada, State of Idaho, on this 15th day of May, A. D. 1950.

20223

J. H. Petersen
Notary Public, Boise, Idaho
My Comm. Expires Dec. 31, 1953.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit Nos 20223 and 20262

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. B C Russell, General Superintendent, Idaho Power Company
1220 Idaho Street, Boise, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

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

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

Ans. No 20223, dated December 3, 1947; priority September 4, 1947.
No 20262, dated January 29, 1948; priority December 11, 1947.

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

Ans. Snake River - in Lots 5 and 10, Sec 7, T 6 S, R 12 E, B M, approximately N 11° 14' W
4,646 feet from East quarter corner of Sec. 18, above Township and Range, B M.

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

Ans. Concrete dam and power plant across Snake River, with 5 tainter gates to discharge 95,000 cfs, 3 - vertical units, 25,000 kw rated capacity each, capable of utilizing 16,000 cfs and producing 80,000 kw. Reservoir to be fluctuated up to approximately 5 feet in top elevation daily, for regulation of power production in accordance with load requirements.

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

Ans. Water is used for generation of electrical energy for distribution for light, heat, power and other public utility purposes throughout southern Idaho, eastern Oregon, and northern Nevada. Place of use: Bliss power plant.

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

Ans. Hydroelectric power generation. Have generated 107,200 electrical horsepower (80,000 kilowatts) at the Bliss power plant.

20223

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

Ans. 16,000 cubic feet per second

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

Ans. Not applicable

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

Ans. Since March 9, 1950, date of first operation of third generating unit at Bliss power plant. Water has been used up to 16,000 cfs with an output of 80,000 kw. Elevation of reservoir is fluctuated approximately 5 feet daily, water being stored during light load hours for release during system peak load hours and as needed to meet system load requirements. Minimum release during storage hours, approximately 2,500 cfs.

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

Ans. No other water right for Bliss power plant, except use right dating from March 9, 1950, for water used and required for full operation, over and above the 15,000 cfs covered by Permits 20223 and 20262. Additional water required and actually used, in excess of 1,000 cfs.

(Sign) *B. C. Russell*

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada, State of Idaho, on this 8th day of May, A. D. 19 50.

J. H. Peterson

Notary Public,

Residing at Boise, Idaho.

(NOTARIAL SEAL)

My commission expires July 20, 1953.

20223

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NOS. 20223 and 20262

Proof of Application of Water to Beneficial Use

Deposition of Witness

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

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

Ans. Henry L. Senger, 71, Civil Engineer

1101 North 20th Street, Boise, Idaho.

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit Nos. 20223 and 20262? How long have you known him and where does he reside?

Ans. Yes, more than 35 years.

Main office, 1220 Idaho Street, Boise, Idaho

Ques. 3. Have you read or heard read said Permit Nos. 20223 and 20262, and are you familiar with its provisions and conditions?

Ans. Yes.

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

Ans. Snake River, in Lots 5 and 10, Section 7, Township 6 South, Range 12 East, B M, at Bliss power plant. Concrete dam and power plant across Snake River; 5 tainter gates in spillway capable of handling 95,000 cfs flood waters.

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

Ans. I estimate works will convey and use in excess of 16,000 cfs, and plant records show 16,000 have been so conveyed and used.

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

Ans. Generation of electric power at Bliss plant. Reservoir top elevation will be fluctuated up to approximately five feet daily, storing water during periods of light load on power plant, and releasing water during system peak load hours. Minimum release during storage hours is approximately 2,500 cfs. Three vertical water wheel generator units in power plant provide total capacity of 80,000 kw.

20223

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

Ans. Hydroelectric power generation. Said water has been applied and used to extent of 16,000 cfs, providing power output of 80,000 kw. See also answer to Question 6.

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

Ans. Not applicable.

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

Ans. No.

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

Ans. On May 12, 1950, I witnessed the use of 16,100 cfs through the Bliss plant, producing 82,800 kw of electrical power.

(Signed) Larry L. Decker C.E. Lic. No. 14

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise, County of Ada, State of Idaho, on this 15th day of May, A. D. 19 50.

My commission expires

JH Petersen
Notary Public residing at Boise, Idaho
My commission expires July 20, 1953.

20223

12-17

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

20223

Affidavit of Publication

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

Notice is hereby given that at 10:00 A. M., on Monday, the 5th day of May, 1950, at 1230 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. 2222 heretofore issued by the Department of Reclamation of the State of Idaho; and of the completion of works for the diversion of 1,000 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. 2222 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and residence address of the person or corporation holding said permit are Idaho Power Company, 1230 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 point of use, in accordance with the plans accompanying the application for such permit, 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 13, of Section 7, Township 5 South, Range 13 East, R. 14, approximately 4 1/2 miles north from the East quarter corner of Section 13, said Township and Range, R. 14.

5. The owner of property which said user is prepared to establish is September 4, 1937 under Permit No. 2222 and December 13, 1947 under Permit No. 2222.

HANK H. KURTZ
State Reclamation Engineer
First Publication April 12, 1950
Last Publication May 5, 1950

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

4 consecutive weeks, the first publication having been made on the 12th day of April, 1950, and the last publication having been made on the 4th

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

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

Robert M. Cooley

Subscribed and sworn to me this 8th

day of May, 1950.

Mary Bernersalo
Notary Public

20223

✓
May 9, 1950

Re: Permit No. 20223

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

Dear Mr. Inman:

We have received from the Gooding Leader, Affidavit of Publication in connection with Proof of Completion of Works and Beneficial Use advertised to be made on May 8, 1950.

They have also sent us triplicate statements for the cost of publication which we are transmitting to you, herewith.

We do not know why they sent these statements to us as they were advised that the cost would be paid by the Idaho Power Company.

Very truly yours,

MARK R. FULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

CC: The Gooding Leader

20223

AFFIDAVIT OF PUBLICATION

RECEIVED
MAY 9 1950
Department of Reclamation.

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

Six consecutive weeks, the first publica-
tion having been made

on the 13th day of April, 1950,

and the last publication having been made on the

on the 4th day of July, 1950,

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.

Subscribed and sworn to before me this

5th day of May, 1950.

Helene L. Smith

Notary Public.

20223

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Boise, April 5, 1950

Re: Permit No. 20223 + 20262

Mountain Home News

Mountain Home, 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 aid 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

23
20262

March 29, 1950

Re: Permit No. 20223

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

Dear Mr. Inman:

We acknowledge receipt of Notice of Proof of Completion of Works and Beneficial Use on Permit No. 20223 to be made on May 8, 1950, before Mr. G. H. Peterson, Notary Public.

A copy of the notice will be sent to the Gooding Leader and Mountain Home News, with instructions to publish it once a week for four consecutive weeks prior to that date and to send you the Affidavits of Publication, together with statements of costs.

We are not sure whether you have the necessary forms for making these proofs, so we enclose herewith a duplicate set of each so that you may keep one set for your own files.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

20223

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, E M, approximately 4,646 feet northerly from the East quarter corner of Section 13, said Township and Range, E 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



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 A. J. Johnson
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.

B. C. Russell
Engineer.

23
202

21223
UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

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

October 2, 1949

In the Matter of)

) Project No. 1975

) Idaho Power Company)

Department of Reclamation

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.

20223

10/13/49

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.

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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.

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- (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

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

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

December 13, 1949

In the Matter of)
Idaho Power Company)

Project No. 1975

RECEIVED

ORDER EXTENDING TIME FOR ACTION
UPON PETITION FOR REHEARING

Department of Reclamation

The Idaho Power Company on November 10, 1949, filed a petition for rehearing on the Commission's order of October 13, 1949, authorizing inclusion of certain transmission facilities as parts of the project works and superseding authority previously granted for construction of the Bliss project on the Snake River in Idaho, Project No. 1975.

In addition to its formal presentation, the company has made certain informal presentations and the Secretary of the Interior has filed a formal complaint urging dismissal of the application for license, a formal statement in opposition to the rehearing requested, and informal letters commenting upon and seeking modification of certain provisions of the order of October 13, 1949.

The Commission finds:

Further consideration is desirable of the questions raised in connection with said order of October 13, 1949.

The Commission orders:

Further action on the petition for rehearing and the informal presentations is hereby postponed for a period not to exceed 30 days from date of issuance of this order.

By the Commission.

Leon M. Fuquay,
Secretary.

Date of Issuance: December 14, 1949

20223

RECEIVED
FEB 8 1950

January 31, 1950

20223

✓
April 6, 1949

Re: Permit No. 20223

Mr. Ronald D. McGregor, Manager
American Bonding Company
1318 Continental Bank Building
Salt Lake City 1, Utah

Re: Bond No. 943184 - Idaho Power Company - Water Permit
Bond - App. #27771 - Permit #20223 - 1 8 47

Dear Mr. McGregor:

In reply to your letter of April 4, will state that
a Bond of the Fidelity and Casualty Company of New York, dated
December 8, 1948, has been filed in this Department in connection
with the above numbered Permit of the Idaho Power Company.

Since this Bond replaces the Bond of the American
Bonding Company, the American Bonding Company is hereby released
from any liability under said bond from and after December 8, 1948.

Very truly yours,

MARK R. KULP
State Reclamation Engineer

MRK:bh
CC: James W. Perry Agency

20223

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
3-2511

April 4, 1949

State Reclamation Engineer
State House
Boise, Idaho

Re: Bond No. 943184 - Idaho Power Company - Water Permit
Bond - App. #27771 - Permit #20223 - 1 8 47

Dear Sir:

We have been advised that the above-captioned bond was not renewed with our company (renewal date December 8, 1948), and inasmuch as our bond is continuous in character, we would appreciate your sending us a release.

If bond of another company was filed, will you please advise the date.

Yours very truly,


Ronald D. McGregor, Manager

-EA
Encl.

c/c James W. Perry Agency



20223

December 4, 1948

Re: Permit No. 20223

Idaho Power Company
1220 Idaho Street
Boise, Idaho

Attention: Mr. C. H. Petersen
Special Agent

Dear Mr. Petersen:

We acknowledge receipt of your letter of
December 3 enclosing bond of the Fidelity and Casualty
Company of New York in connection with Permit No. 20223,
which has been placed on file.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20223



IDAHO POWER COMPANY

BOISE, IDAHO

December 3, 1948

RECEIVED

Department of Reclamation

Department of Reclamation
State Capitol Building
Boise, Idaho

Re: Permit No. 20223

Gentlemen:

Herewith bond of Idaho Power Company, as principal, and The Fidelity and Casualty Company of New York, as surety, Bond No. 2220639, in the amount of \$1,000 in connection with the captioned water permit.

This bond is filed to replace the one originally given with American Bonding Company of Baltimore, as surety, which is due to expire December 8, 1948.

Yours very truly,


G. H. Petersen
Special Agent

GHP:jh

Encl

20223

The Fidelity and Casualty Company of New York

No. 2220639

BOND

KNOW ALL MEN BY THESE PRESENTS, That, Idaho Power Company, a Corporation, of Boise, Idaho as Principal, and THE FIDELITY AND CASUALTY COMPANY OF NEW YORK, a Corporation duly organized and doing business under and by virtue of the laws of the State of New York, and duly qualified and licensed for the purpose of becoming sole Surety upon bonds and undertakings required or authorized by the laws of the State of Idaho, as Surety, are held and firmly bound unto the State of Idaho in the full and just sum of One Thousand Dollars, (\$1,000.00), lawful money of the United States, to the payment of which, well and truly to be made, said Principal and Surety bind themselves, their successors and assigns, jointly and severally, under the terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above-named Principal on the 4th day of September, 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 bearing thereupon numbered No. 27771, in accordance with which said application the State Reclamation Engineer granted and issued to the said Principal herein a certain Permit numbered No. 20223, a full, true and complete copy of which Application No. 27771 and Permit No. 20223, is of record in the Office of the State Reclamation Engineer in Book 73 of Permits, at Page 20223.

NOW, if the above-bounden Principal shall faithfully carry to completion the said works of diversion as specified in said application No. 27771 and permit No. 20223, 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 8th day of December, 1948.

(Corporate Seal)

IDAHO POWER COMPANY, Principal

By A. D. Shuman
Its Vice President

THE FIDELITY AND CASUALTY
COMPANY OF NEW YORK, Surety

By James W. Perry
(James W. Perry) Attorney

COUNTERSIGNED:
JAMES W. PERRY AGENCY
Resident Agent

By James W. Perry

(Seal)

20223

20223 + 20262

February 6, 1948

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

Dear Mr. Inman:

Receipt is hereby acknowledged
of your letter of February 3rd, transmitting
tracing and two prints (Drawing No. E-7275)
of plans, etc., of your Bliss Dam.

The tracing and one print are
returned herewith, stamped with the approval
of the State Reclamation Engineer.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A

20223

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION

Before Nelson Lee Smith, Chairman; Claude L. Draper
Commissioners: Leland Olds and Harrington Wimberly.

RECEIVED

Department of Reclamation

March 8, 1948

In the Matter of)
Idaho Power Company)

Project No. 1975

ORDER AUTHORIZING ISSUANCE OF LICENSE (MAJOR)

- (1) An application was filed August 22, 1947, and later amended, by Idaho Power Company, of Boise, Idaho, for license under the Federal Power Act to authorize the construction, operation, and maintenance of a proposed major project, to be known as the Bliss development and designated as Project No. 1975, on the Snake River, in Elmore, Gooding, and Twin Falls Counties, Idaho, and affecting lands of the United States.
- (2) 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 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; transmission lines connecting with applicant's 138-kilovolt transmission system; and appurtenant works; and, exclusive of transmission facilities, occupies approximately 509.7 acres of lands of the United States in Elmore, Gooding, and Twin Falls Counties, Idaho.
- (3) Although the application states that the powerhouse will be connected by tap lines to applicant's 138-kilovolt transmission network, neither the tap lines nor the switching station from which they emanate are shown to be within the project boundary on the maps submitted as part of the application.
- (4) The Office of the Chief of Engineers has stated orally that the Division Engineer of the Corps of Engineers has reported favorably on the application.
- (5) The Assistant Secretary of the Interior, acting for the Secretary of the Interior, has reported favorably on the application, subject to the imposition of conditions hereinafter provided for.
- (6) The Public Utilities Commission of the State of Idaho has reported that it has no objection to the application.

20223

- (7) The Department of Fish and Game of the State of Idaho has reported that it has no objection to the project.
- (8) By letters dated September 30, 1947, and January 2, 1948, the Office of the Hydroelectric Commission of Oregon informed the Commission that the notices of the filing of the original application and of the amended application, respectively, would be called to the attention of that Commission at its next meeting. No further comment has been received.
- (9) It is desirable to reserve for determination at a later date the question of what transmission facilities should be included in the license as part of the complete project.

The Commission, having considered the application and the project record, finds that:

- (10) 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.
- (11) No conflicting application is before the Commission.
- (12) Public notice has been given as required by the Federal Power Act.
- (13) 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.
- (14) 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.
- (15) 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.
- (16) 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.
- (17) In accordance with Section 10(d) of the Act, the rate of return upon the net investment in the project and the proportion of surplus earnings to be paid into and held in amortization reserves are reasonable as hereinafter specified.

- (18) The amount of annual charges to be paid under the license for the purpose of reimbursing the United States for the costs of administration of Part I of the Act, and for recompensing it for the use, occupancy, and enjoyment of its lands (exclusive of those used for transmission-line right-of-way, if any) 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 used for transmission-line right-of way, if any, shall be hereafter determined.
- (19) The statement filed as part of the application and designated as Exhibit M (Amended) conforms to the Commission's rules and regulations and should be approved as part of the license for the project.
- (20) The maps and plans filed as part of the application and designated as Exhibits J, K and L, respectively, need revision in regard to project area and design of structures, and Exhibit F filed as part of the application does not give full details as to the project lands.
- (21) Exhibit F, statement of nature, extent, and ownership of land and land rights; Exhibit J, general map covering the entire project area; Exhibit K, detail map of project area; and Exhibit L, general design drawings, should be revised in accordance with the Commission's rules and regulations, and filed as hereinafter provided.

It is ordered that:

- (22) A license, effective as of the first day of the month in which it is executed, be issued to the applicant for a period of 50 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, and 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; provided that nothing in this order shall be construed as determining whether the Snake River is a navigable water of the United States at the site of the proposed project.
- (23) The license contain the usual conditions and provisions for licenses issued under Section 4(e) of the Act for such projects and such conditions as may be prescribed hereafter in the interest of navigation, and the following special provisions:
 - (a) The Licensee shall commence construction of the project within one year from the date of issuance of the license and shall complete said construction for the operation of three generating units within three years from the date of issuance of the license.

- (b) 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.
- (c) The Licensee shall file with the Commission, in accordance with the Commission's rules and regulations, revised Exhibit L before beginning construction of the project works shown thereon and revised Exhibits F, J, and K within one year from the date of issuance of the license for the Bliss development, including such transmission facilities which the Commission may determine to be properly a part of the project.
- (d) 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.
- (e) 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 has 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.
- (f) The Licensee shall construct, maintain and operate such fish protective devices and shall comply with such special conditions in the interest of fish life and wildlife resources as may be prescribed hereafter upon the recommendations of the Secretary of the Interior; and
- (g) The Commission reserves the right to determine at a later date what transmission facilities should be included in the license as part of the project.

3/2/48

- (24) The license provide that after the first 20 years of operation of the project under the license, six (6) per cent 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) per cent 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.
- (25) 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 the date of the license, 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 capacity authorized to be installed (130,000 horsepower) plus two and one-half (2½) cents per 1,000 kilowatt-hours of gross energy generated by the project during the fiscal year ended June 30 of 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, if any), \$1,019.40; and
 - (c) For the purpose of recompensing the United States for the use, occupancy, and enjoyment of its lands used for transmission-line right-of-way, if any, an amount to be hereafter determined.
- (26) Exhibit M (Amended) specified in paragraph (19) above be and it is hereby approved as part of the license.

By the Commission.

Leon M. Fuquay,
Secretary.

Date of Issuance: March 3, 1948

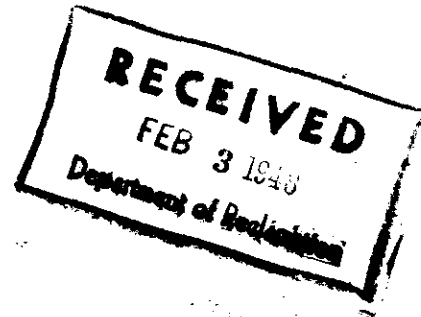
20223



IDAHO POWER COMPANY

BOISE, IDAHO

February 3, 1948



Department of Reclamation
State of Idaho
State House
Boise, Idaho

Gentlemen:

Bliss Dam

Pursuant to the provisions of Section 41-1507, Idaho Code Annotated 1932, I am transmitting herewith two copies of Idaho Power Company Drawing No E-7275, comprising plans, drawings and specifications of the proposed dam at the Company's Bliss hydroelectric development on the Snake River. In this connection, reference is made to the Company's water permits Nos 20223 and 20262 stating rights for use at the Bliss plant.

If the above has your approval, please return one copy bearing notation thereof.

Very truly yours,

A C Inman
Secretary

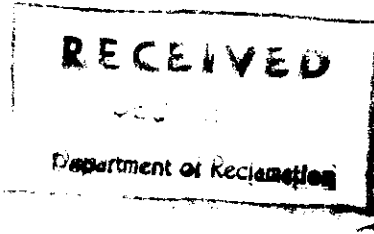
ACI:mb
Encl

20223

FEDERAL POWER COMMISSION

WASHINGTON 25

Project No. 1975 - Idaho



DEC 26 1947

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Pursuant to the provisions of Part I of the Federal Power Act, you were notified by letter dated September 16, 1947, that Idaho Power Company, of Boise, Idaho, had filed with this Commission an application for a license for a proposed water-power project (No. 1975) on Snake River in Gooding and Twin Falls Counties, Idaho, affecting public lands of the United States.

The applicant has now amended its application and proposes to build its dam about 2 miles downstream from the site designated in the original application. The project as now proposed, to be known as the Bliss project, would be located in Elmore, Gooding, and Twin Falls Counties, Idaho, and would consist of a concrete dam in lots 5 and 10, section 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; transmission lines connecting with the company's 138-kilovolt transmission system; and appurtenant works. The applicant proposes to distribute the energy generated through its interconnected system for public-utility purposes.

Any objection to this application as amended, or request for a hearing thereon, together with any briefs or other data of which consideration is desired, should be submitted to the Commission on or before January 29, 1948.

Very truly yours,

J. H. Gutridge
J. H. Gutridge
Acting Secretary

Registered

20223

FEDERAL POWER COMMISSION
WASHINGTON 25

Project No. 1975 - Idaho

DEC 26 1947

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Pursuant to the provisions of Part I of the Federal Power Act, you were notified by letter dated September 16, 1947, that Idaho Power Company, of Boise, Idaho, had filed with this Commission an application for a license for a proposed water-power project (No. 1975) on Snake River in Gooding and Twin Falls Counties, Idaho, affecting public lands of the United States.

The applicant has now amended its application and proposes to build its dam about 2 miles downstream from the site designated in the original application. The project as now proposed, to be known as the Bliss project, would be located in Elmore, Gooding, and Twin Falls Counties, Idaho, and would consist of a concrete dam in lots 5 and 10, section 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; transmission lines connecting with the company's 138-kilovolt transmission system; and appurtenant works. The applicant proposes to distribute the energy generated through its interconnected system for public-utility purposes.

Any objection to this application as amended, or request for a hearing thereon, together with any briefs or other data of which consideration is desired, should be submitted to the Commission on or before January 29, 1948.

Very truly yours,

J. H. Gutride

Acting Secretary

Registered

✓
December 10, 1947

Re: Permit No. 20223

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

Dear Mr. Inman:

We acknowledge receipt of your
letter of December 9th, enclosing bond of
the American Bonding Company in connection
with Permit No. 20223 of the Idaho Power Com-
pany.

Very truly yours,

MARK E. KUIP
State Reclamation Engineer
By

A

Chief Clerk

20223



IDAHO POWER COMPANY

BOISE, IDAHO

December 9, 1947

Department of Reclamation
State Capitol Building
Boise, Idaho

Re: Permit No. 20223

Gentlemen:

This will acknowledge receipt of Permit No. 20223 with reference to the Company's Bliss Hydroelectric Development, together with your Form #18-B dated December 3rd, advising of the necessity of filing bond in the amount of \$1000 covering completion of works of diversion as specified in said permit.

Bond of Idaho Power Company, as principal, with American Bonding Company of Baltimore as surety in the amount of \$1000 is filed herewith.

Very truly yours,

A C Inman
Secretary

ACI:jh

Encl



20223

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 (\$1,000⁰⁰) Dollars, 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 conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal on the 4th day of September, 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. 27771, in accordance with which said application the State Reclamation Engineer granted and issued to the said principal herein a certain permit numbered No. 20223, a full, true and complete copy of which application No. 27771 and permit No. 20223, is of record in the office of the State Reclamation Engineer in Book 73 of Permits, at Page 20223.

Now, if the above bounden principal shall faithfully carry to completion the said works of diversion as specified in said application No. 27771 and permit No. 20223, 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 8th day of December, 1947.

CORPORATE SEAL

IDAHO POWER COMPANY, Principal

By

A. B. Johnson
Its Vice President

COUNTERSIGNED:

AMERICAN BONDING COMPANY, Surety
OF BALTIMORE

By

[Signature]
~~Its Attorney-in-Fact~~[Signature]
~~Assistant Agent at Boise, Idaho~~

20223

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 20223

Date December 4, 1947

Dear Sir:

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

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

DAIK R. KUIP
State Reclamation Engineer

20223

Form No. 18-B.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE.

December 3, 1947

Permit No. 20223

NOTICE

You are advised that in order to keep this permit in force a bond in the sum of \$1,000.00 must be filed in the office of the ~~Commissioner of Reclamation~~ ^{State Reclamation} ~~Engineer~~ ^{Engineer} on or before February 3, 1948, 19____ conditioned upon faithfully carrying to completion the works of diversion as specified in said permit and in the application therefor.

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

MARK R. KULP
~~Commissioner of Reclamation~~
State Reclamation Engineer

20223



IDAHO POWER COMPANY

BOISE, IDAHO

November 13, 1947

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

Dear Mr Kulp:

Re Application No 27771

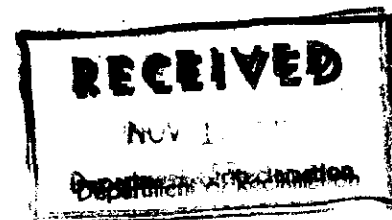
I am enclosing herewith affidavits of publication from The Gooding Leader and the Mountain Home News showing publication of notice of the above application in the above two newspapers, respectively, in Gooding and Elmore Counties, in the State of Idaho, both of said publications having been for three consecutive weeks, on October 2d, 9th, and 16th, 1947.

It is my understanding that the last day for protest was November 5, 1947, and that issuance of permit is now in order.

Very truly yours,

A. C. Inman
A C Inman
Secretary

ACI:mb
Encl (2)



12-15-

20223

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 41-202, IDAHO CODE ANNOTA- TED.

Notice is hereby given, that on the 4th day of September, 1947, Idaho Power Company, of Boise, Idaho, made application to appropriate Twelve Thousand (12,000) cubic feet per second of the waters of Snake River, for the generation of electrical power.

That the point of diversion of said waters is described as being located approximately N. 11° 14' W. 4846 feet distant from the East quarter corner of Section 18, Township 6 South, Range 12 East, R. M., and in Lots 5 and 10 of Section 7, Township 6 South, Range 12 East, R. M., in Snake River between Kinross 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 each protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 26th day of September, 1947.

MARK R. KULP, State Reclamation Engineer.

Date of first publication, Oct. 2, 1947.

Date of last publication, Oct. 16, 1947.

Last date for protest, Nov. 5, 1947.

Service of the foregoing, by mail, is hereby acknowledged, this 26th day of September, 1947.

IDAHO POWER COMPANY,

Applicant

By A. C. HARRIS,

Secretary

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 2nd day of October, 1947, and the last publication having been made on the 16th day of October, 1947, 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

24th day of October, 1947.

Helen P. Smith

Notary Public.

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 2nd day
of October, 1947, and the
last publication having been made on the 16th

day of October, 1947;
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.

Robert M. Cooley
Subscribed and sworn to me this 17th

day of October, 1947.

Frank
Notary Public

20223

October 14, 1947

Idaho State Reclamation Association,
Attention: Mr. Wm. E. Welsh, Secretary
Building

Gentlemen:

I have your letter of September 29th, regarding an application by the Idaho Power Company for permit to appropriate water for power purposes at Bliss.

On September 4, 1947, The Idaho Power Company made an application which by departmental procedure is now identified as Application for Permit No. 27771. This application was accompanied by the correct filing fee and conformed in all ways with the Idaho Statutes and rules and regulations of the Department of Reclamation. The application was advertised as required by statute in the Mountain Home News and the Gooding Leader.

The last date for protest is November 5, 1947. If no protests are received, the Department of Reclamation will have little discretion in the approval of the permit. Your letter urges that if the permit is granted, limitations be imposed upon the power company limiting it to only such use as does not conflict with any beneficial consumptive use in the Snake River Valley in Southern Idaho.

Article XV., Section 3, of the Constitution of the State of Idaho as amended states, "--- except that the State may regulate and limit the use thereof for power purposes". No statutory limitations have been made except in Section 41-408, I.C.A., which pertains to specific streams and lakes in North Idaho. Article XV., Section 3, of the Constitution also gives domestic use and agriculture preference over manufacturing (power) --- "subject to such provisions of law regulating the taking of private property for public and private use, as referred to in Section 14 of Article 1 of this Constitution." Therefore, the limitation you urge is already imposed except that when the water is required for domestic or agricultural use the prior rights for power would have to be condemned and purchased.

#2
Idaho Reclamation Ass'n
10/14/47.

In the absence of specific legislation, no limitations could
be written into the permit.

Very truly yours,

Mark R. Kulp
State Reclamation Engineer.

MRK:lt

September 30, 1947

Re: Application No. 27771

The Gooding County Leader
Gooding, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for three consecutive weeks, commencing with your next issue.

The expense of the publication is to be paid by the Idaho Power Company, to whom you should send affidavit of publication, when completed. Address Idaho Power Company, C/o A. C. Inman, Secretary, 1220 Idaho Street, Boise, Idaho.

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

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

Encl.

20223

September 30, 1947

Re: Application No. 27771

Mountain Home news
Mountain Home, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for three consecutive weeks, commencing with your next issue.

The expense of the publication is to be paid by the Idaho Power Company, to whom you should send affidavit of publication, when completed. Address Idaho Power Company, C/o A. C. Inman, Secretary, 1220 Idaho Street, Boise, Idaho.

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

Very truly yours,

MARK L. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encl.

20223

Idaho State Reclamation Association

Affiliated with National Reclamation Association

Boise, Idaho

September 29, 1947

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

Dear Mr. Kulp:

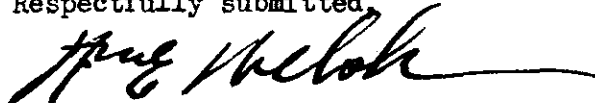
The Board of Directors of the Idaho State Reclamation Association, at a meeting held in Twin Falls, Thursday, September 25th of this year, authorized the undersigned as Secretary-Manager of said Association to address a letter to you relative to the proposed dam by the Idaho Power Company at Bliss.

The Board of Directors make the same request with respect to this dam as they made with respect to the proposed dam by the Idaho Power Company at the Oxbow site, Idaho-Oregon boundary, in a letter addressed to you under date of September 12th, as follows:

"If your department is considering granting a permit to the Idaho Power Company (for construction of a power dam at the Bliss site), we would like to urge that in the granting of said permit limitations be imposed upon the power company, limiting it to only such use as does not conflict with any beneficial consumptive use in the Snake River Valley in southern Idaho."

A copy of the letter of September 12th, together with a copy of the statement submitted by the Idaho State Reclamation Association at the Lewiston hearing by the Army Engineers on proposed dams on the Snake River in Hells Canyon, is enclosed.

Respectfully submitted,



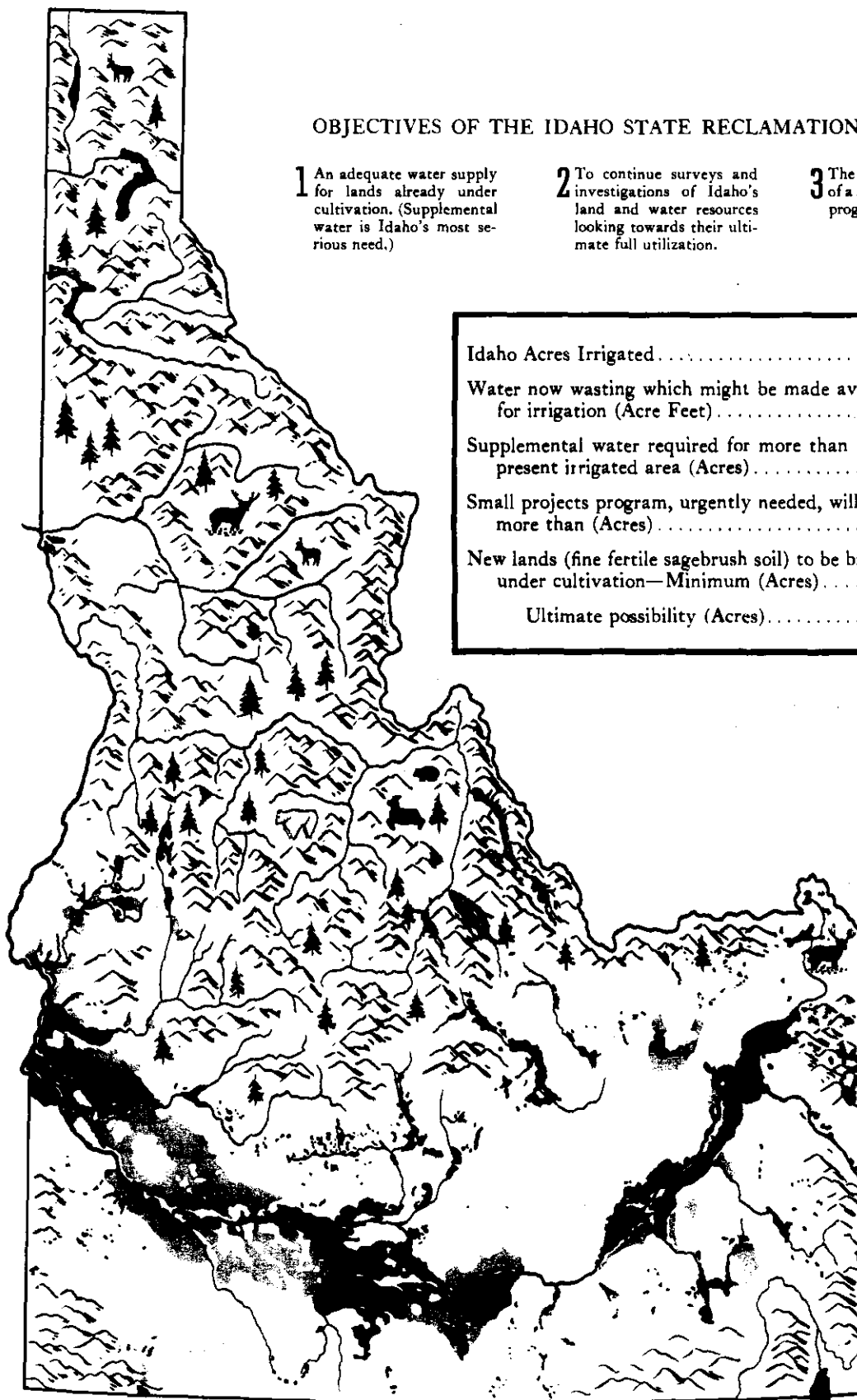
Wm. E. Welsh, Secretary-Manager
Idaho State Reclamation Association

WEW:JCO

Encls.

20223

Officers:	N. V. SHARP, Filer, <i>President</i>	WM. E. WELSH, Boise, <i>Secretary-Manager</i>
Directors:	A. R. BARCOCK, Moore, Big and Little Lost Rivers and Salmon River . . . GEORGE W. DAVIDSON, Emmett, Payette River Valley . . . ED G. GOODING, Shoshone, Big and Little Wood Rivers . . . WALTER HERETH, Lewiston, North Idaho . . . JOHN E. KELLEY, Shelley, Middle Snake River Valley . . . WELLS McENTIRE, Preston, Great Basin, Bear and Malad Rivers . . . EPH RICKS, Sugar City, Upper Snake River Valley . . . N. V. SHARP, Filer, Lower Snake River . . . ELLIS B. SNOW, Council, Weiser River Valley . . . FORREST SOWER, Boise, Government Project, Boise River . . . WM. E. WELSH, Boise, Stewart Decree, Boise River . . . MARK R. KULP, ex-Officio Member, State Reclamation Engineer	



OBJECTIVES OF THE IDAHO STATE RECLAMATION ASSOCIATION:

- 1 An adequate water supply for lands already under cultivation. (Supplemental water is Idaho's most serious need.)
- 2 To continue surveys and investigations of Idaho's land and water resources looking towards their ultimate full utilization.
- 3 The orderly development of a state-wide reclamation program.

Idaho Acres Irrigated	2,300,000
Water now wasting which might be made available for irrigation (Acre Feet)	6,000,000
Supplemental water required for more than half of present irrigated area (Acres)	1,300,000
Small projects program, urgently needed, will affect more than (Acres)	100,000
New lands (fine fertile sagebrush soil) to be brought under cultivation—Minimum (Acres)	1,300,000
Ultimate possibility (Acres)	1,900,000

■ Irrigated areas ▨ Proposed for Irrigation



IDAHO POWER COMPANY

BOISE, IDAHO

September 29, 1947

Department of Reclamation
State Capitol Building
Boise, Idaho

Gentlemen:

Re Application No 27771

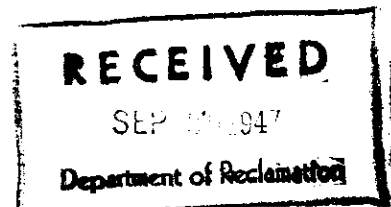
I return herewith copy of notice with reference to the above application for water right in connection with our proposed Bliss hydroelectric development, acknowledging service thereof on September 29, 1947.

As this location involves a point where the Snake River is a boundary between two counties, it is suggested that the publication notice be made in both counties, and you are therefore authorized to have the notice published at our expense in the Gooding County Leader, Gooding, Idaho, and also in the Mountain Home News, Mountain Home, Idaho.

Very truly yours,

A C Inman
Secretary

ACI:mb
Encl



20223

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 4th day of September, 1947, Idaho Power Company, of Boise, Idaho, made application to appropriate Twelve Thousand (12,000) 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 distant from the East quarter corner of Section 18, Township 6 South, Range 12 East, B. M., and in Lots 5 and 10 of Section 7, Township 6 South, Range 12 East, B.M., in 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 26th day of September, 1947.

Mark R. Kulp

MARK R. KULP
State Reclamation Engineer

Date of first publication , _____
Date of last publication: _____
Last date for protest: November 5, 1947

SERVICE OF THE FOREGOING, By Copy, is hereby acknowledged, this 29th day of September, 1947.

20223

IDAHO POWER COMPANY,
Applicant

By

A. G. Shuman

Its Secretary

✓
September 27, 1947

Re: Application No. 27771

Mr. A. C. Inman, Secretary,
Idaho Power Company
No. 1220 Idaho Street
Boise, Idaho

Dear Mr. Inman:

We enclose duplicate copies of
the Notice in connection with the above numbered
application. Please acknowledge service on
the original, retaining the copy for your own
files.

Please also return Form 11, enclosed,
which is your authorization for us to have the
notice published at your expense in the county
newspapers which you designate.

Since the point of diversion is located
on an island between Elmore and Gooding Counties,
publication should be made in both counties.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

A
Encls.

Chief Clerk

20223

FEDERAL POWER COMMISSION
WASHINGTON 25

Project No. 1975 - Idaho

SEP 16 1947

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Pursuant to the provisions of Part I of the Federal Power Act, you are hereby notified that Idaho Power Company, of Boise, Idaho, has filed with this Commission an application for license for a proposed water-power project (No. 1975), which would be located on Snake River in Gooding and Twin Falls Counties, Idaho, and would affect public lands of the United States.

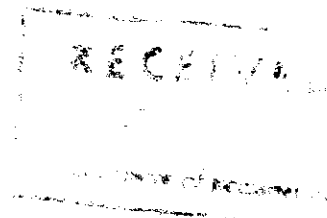
The proposed project, to be known as the Bliss project, would consist of a concrete dam in section 9, T. 6 S., R. 12 E., Boise meridian, creating a reservoir having maximum pool elevation of approximately 2,736 feet and extending upstream to the tailrace of the Lower Salmon power project (No. 457), a distance of about 10 miles; a powerhouse with installed capacity of about 134,000 horsepower in four units of equal size; a switchyard; two 138,000-volt tie lines connecting with the applicant's Hagerman Valley-Boise and Hagerman Valley-Caldwell transmission lines; and appurtenant works. The applicant proposes to distribute the energy generated through its interconnected system for public-utility purposes.

Any objection to this application or request for a hearing thereon, together with any briefs or other data of which consideration is desired, should be submitted to the Commission on or before November 4, 1947.

Very truly yours,

L. E. Rumble
Engineering Secretary

Registered



FEDERAL POWER COMMISSION
WASHINGTON 25

Project No. 1975 - Idaho

SEP 16 1947

Department of Reclamation
State House
Boise, Idaho

Gentlemen:

Pursuant to the provisions of Part I of the Federal Power Act, you are hereby notified that Idaho Power Company, of Boise, Idaho, has filed with this Commission an application for license for a proposed water-power project (No. 1975), which would be located on Snake River in Gooding and Twin Falls Counties, Idaho, and would affect public lands of the United States.

The proposed project, to be known as the Bliss project, would consist of a concrete dam in section 9, T. 6 S., R. 12 E., Boise meridian, creating a reservoir having maximum pool elevation of approximately 2,736 feet and extending upstream to the tailrace of the Lower Salmon power project (No. 457), a distance of about 10 miles; a powerhouse with installed capacity of about 134,000 horsepower in four units of equal size; a switchyard; two 138,000-volt tie lines connecting with the applicant's Hagerman Valley-Boise and Hagerman Valley-Caldwell transmission lines; and appurtenant works. The applicant proposes to distribute the energy generated through its interconnected system for public-utility purposes.

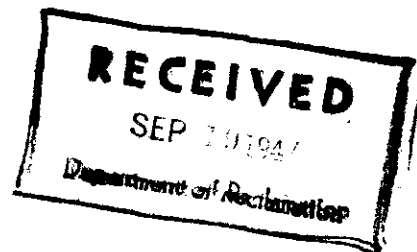
Any objection to this application or request for a hearing thereon, together with any briefs or other data of which consideration is desired, should be submitted to the Commission on or before November 4, 1947.

Very truly yours,

J. H. Gutride
J. H. Gutride
Acting Secretary

Registered

20223



PUBLIC HEARING
BY DISTRICT ENGINEER
CORPS OF ARMY ENGINEERS
ON
ASOTIN, NEZ PERCE, MOUNTAIN SHEEP
AND HELLS CANYON DAM SITES,
SNAKE RIVER, OREGON AND IDAHO

STATEMENT PRESENTED ON BEHALF OF THE IDAHO STATE RECLAMATION ASSOCIATION AT
THE ABOVE HEARING, HELD IN LEWISTON, IDAHO, JULY 9, 1947, AT 10:00 A.M., IN
THE LEWIS AND CLARK HOTEL

This statement is submitted on behalf of the Idaho State Reclamation Association. The membership of this Association includes officers and directors of canal companies, irrigation districts and other water users' organizations, representing more than 80 per cent of the irrigated area of the state, or more than 1,800,000 acres. It is a typical "grass roots" organization. By the articles of association, voting is restricted to water users' organizations.

This Association has a board of directors of 11 members, each representing a different section of the State of Idaho. Its officers are N. V. Sharp, President, Filer, Idaho, and Wm. E. Welsh, Secretary-Manager, Boise, Idaho.

The Association was reorganized in 1936 and has been very active since that time. Regular meetings have been held once each year, except for a short period during the war. Special meetings have also been held from time to time. These meetings have always been exceptionally well attended, especially by water users and others representing the irrigation interests of the state.

This Association in 1939 adopted a declaration of policy, still in effect, as follows:

1. An adequate water supply for lands already under cultivation. (Supplemental water is Idaho's most serious need.)
2. To continue surveys and investigations of Idaho's land and water resources looking toward their ultimate full utilization.
3. The orderly development of a state-wide reclamation program.

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The need for supplemental water in some areas is being taken care of by the construction of projects by the Bureau of Reclamation, in some of which the Corps of Engineers is cooperating. These include Anderson Ranch Reservoir on the south fork of the Boise River, Cascade Reservoir on the north fork of the Payette River, and Palisades Reservoir on the south fork of the Snake River.

We wish to express to you, Colonel Walsh, and to your associates, our sincere appreciation for this opportunity to submit a statement on behalf of the Idaho State Reclamation Association. We like the policy of the Corps of Engineers in holding hearings such as this in order that those interested may have an opportunity to present their arguments either for or against the proposed project. We have had the privilege of attending and participating in several of these hearings, and we believe this to be a truly democratic way of ascertaining the reaction of the people living within the area, who are most vitally affected by the proposed project.

We are fearful that the construction of the dams referred to in the notice of this hearing, and particularly the two high dams on the middle Snake River above the Salmon River—namely, Mountain Sheep Dam and Hells Canyon Dam—may adversely affect future development of our water resources in southern Idaho.

We are fearful that the construction of these high dams on the Snake River above the mouth of the Salmon River, primarily, if not entirely, for power purposes, will acquire a prior right to the now unappropriated waters of the Snake River and its tributaries in southern Idaho.

We are protected against the danger of losing the waters of the Snake River and its tributaries to navigation development, by the adoption of the so-called O'Mahoney-Millikin Amendments to the 1944 Flood Control Act and the 1945 Rivers and Harbors Act, which contain the following provision:

"(b) The use for navigation, in connection with the operation and maintenance of such works herein authorized for construction, of waters arising in States lying wholly or partly west of the ninety-eighth meridian shall be only such use as does not conflict

with any beneficial consumptive use, present or future, in States lying wholly or partly west of the ninety-eighth meridian, of such waters for domestic, municipal, stock water, irrigation, mining, or industrial purposes."

There is, however, no similar provision of law to our knowledge which will protect us against downstream power development. We are particularly concerned because of the fact that these two proposed high dams will be located above the mouth of the Salmon River where the only water that is available for power purposes will come from the Snake River and its tributaries in southern Idaho and eastern Oregon. This is the water that we must preserve and protect for future reclamation development in southern Idaho.

We note with particular interest in the circular letter announcing this hearing, the following statements:

"The present trend of economic and industrial development of the Pacific Northwest is such that a serious power shortage will develop in the near future unless major power generating facilities are installed to meet the increasing demand. Construction of the project authorized by Congress for development of Snake River downstream from Lewiston, Idaho, by a system of dams, primarily for navigation, would create large blocks of power to assist in meeting this demand."

"Power and storage sites on Snake River above the mouth of Salmon River could be developed in lieu of lower Columbia and lower Snake River dams and, thus, relieve pending power shortage without interference to migratory fish spawning in Salmon and Clearwater Rivers."

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We also note that there is considerable opposition to immediate construction of dams on the lower Snake River and on the Columbia River below the mouth of the Snake River and that it is proposed that "construction of dams on lower Columbia and Snake Rivers be postponed approximately 10 years".

In view of the fact that these high dams under consideration in this hearing have apparently been proposed for construction in lieu of, or as a substitute for, the Snake River dams below Lewiston, at least as far as power development is concerned, we would like to call attention to a resolution which was adopted by the Idaho State Reclamation Association more than a year ago, in which said Association approved slack water navigation on the Snake River below Lewiston and urged that the Army Engineers do everything within their power to expedite the construction of this project. This resolution, adopted at the annual meeting of the Association in Twin Falls, Idaho, May 17-18, 1946, is as follows:

"WHEREAS, The Rivers and Harbors Act, approved by the Congress March 2, 1945, authorized the Army Engineers to construct a series of dams on the river between the mouth of the Snake River and Lewiston for the purpose of providing slack water navigation; and

"WHEREAS, Such navigation is most urgently needed and will prove highly beneficial to Lewiston and to the entire State of Idaho; and

"WHEREAS, This section of Idaho produces between fifteen and twenty million bushels of wheat annually, as well as large harvests of peas, the shipment of which will be especially benefited by navigation; and

"WHEREAS, Other industries which will also be benefited include lumber, livestock and mining; and

"WHEREAS, We endorse the principle contained in the so-called O'Mahoney-Millikin Amendments to the 1944 Flood Control Act and the 1945 Rivers and Harbors Act, to the effect that upstream consumptive use shall have a prior right to the use of the waters of all streams of the nation rising west of the 98th meridian; and

"WHEREAS, We are advised that if sufficient dams are constructed in the Snake River below Lewiston to provide slack water navigation that only a flow of 1,000 second feet will be required, which can be supplied entirely by the Clearwater and other rivers of that region without in any way affecting or interfering with the use of the waters of southern Idaho for irrigation purposes:

"THEREFORE, BE IT RESOLVED, by the Idaho State Reclamation Association, at its annual meeting in Twin Falls, Idaho, May 17th and 18th, 1946, that we do hereby approve said program for slack water

navigation to Lewiston and urge that the Army Engineers do everything within their power to expedite the consummation of this project; and

"BE IT FURTHER RESOLVED, That we urge each member of the Idaho Congressional delegation to continue their support for securing funds for this project."

We would like to suggest that if it be desirable to construct additional hydro-electric plants, in order to meet the increasing demand for power in the Pacific Northwest, first, that consideration be given to power development now being planned in connection with our multiple-purpose reclamation development projects in southern Idaho, most of which could be constructed without a great deal of delay in time and which require power revenues for repayment; and second, that immediate construction of the navigation project dams below Lewiston, already authorized by the Congress, would assist materially in meeting that demand. We would also like to emphasize that if further development be desirable, in order to meet the increasing demand for power referred to, consideration be given to projects farther downstream, for two reasons; (a) Downstream locations would be much closer to the centers of population and industrial development, thereby very greatly reducing the cost of transmission; (b) Downstream locations would have a much greater year-round flow of water available without interfering with reclamation development, which is so important to southern Idaho.

The records of the U. S. Geological Survey disclose that the minimum flow of record for the Snake River at Oxbow was 4,890 second feet, which occurred during August, 1924, whereas the minimum flow of record of the Snake River below Clarkston was 10,600 second feet, which occurred in August and September, 1931. In other words, the minimum flow of the Snake River below Clarkston is more than double the minimum flow of the Snake River in the vicinity of the two high dams proposed. Furthermore, storage possibilities on the Clearwater and Salmon Rivers, which could be used and made available to augment and stabilize the flow of the Snake River below Clarkston, is almost double the storage that might be made available for Mountain Sheep and Hells Canyon Dams.

We believe that the highest use which can be made of the waters of Snake River is for the development of reclamation projects in the Snake River Basin. We believe that the means of determining the value of such reclamation development may be had by an examination of the accomplishments of irrigation and

reclamation development in southern Idaho to date. For that purpose we would like particularly to call your attention to a statement entitled, "Reclamation Development in Idaho", prepared by the Idaho State Reclamation Association. This statement was presented at a hearing on navigation, conducted by the Corps of Engineers, in the legislative chambers of the State Capitol Building, Boise, Idaho, June 22, 1944. You undoubtedly have a copy of this statement in your record of the hearings.

You will find this statement to be complete and comprehensive as to the accomplishments in agricultural production in the Snake River Basin, as well as a complete listing of the projects, reservoirs and other reclamation development under consideration for the area. You will note from this statement, on Page 24, that the irrigated area in the Snake River Basin is a little under two million acres. The total value of agricultural production for the Snake River Basin, as shown in this statement on Page 26, is as follows:

	<u>1939</u>	<u>1943</u>
Crops	\$42,622,507.	\$132,000,000.
Livestock Produce	<u>26,198,408.</u>	<u>66,000,000.</u>
	\$68,820,915.	\$198,000,000.

It has been estimated on numerous occasions that at least 1,300,000 acres of new land can be brought into cultivation by reclamation development in southern Idaho. Eventually and ultimately this figure may be increased to 1,900,000 acres. Assuming the lesser and more generally accepted figure of 1,300,000 acres is correct, and basing estimates on 1940 values, we find the benefit which southern Idaho will receive through reclamation might be summarized briefly as follows:

Increased population	260,000
Increased annual farm income	\$52,000,000
New business and industrial enterprises	5,200
Increased assessed valuation, cities and farms (real, personal and utilities)	\$158,600,000

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If these estimates were to be based upon today's values, the increased annual farm income would be more than double the amount shown, or an increase of more than \$100,000,000.

Future reclamation development in southern Idaho will depend to a large extent upon power revenues for repayment to the federal government. Without full benefit of all possible power revenues from all Idaho reclamation storage projects, most of our southern Idaho reclamation projects under consideration for future development cannot be found feasible on a self-liquidating basis. We should point out that all of the projects which are easy to construct and easy to pay for have long ago been completed. The projects that are left must be considered from a multiple-purpose viewpoint. They must include not only irrigation and reclamation, but all of the other uses possible, including navigation, flood control, power, fish and wildlife, recreation and domestic uses. Each of these various uses must bear its proportionate share of the cost of the project. In addition to the allocation of costs to these various uses, power revenues must repay to the treasury of the United States all of those costs allocated to irrigation but which are beyond the ability of the water users to repay. This is a most important consideration if our projects are to be made feasible under the repayment plan of our present law.

We believe reclamation will continue to be on a repayment basis for some time to come. The Congress will require that moneys from the federal treasury, expended on reclamation projects, must be repaid to the federal treasury within a reasonable period of time. This means that the costs of these projects must be distributed among all of the various features of the project and, as previously stated, that power must be given a large share of the burden of repayment. To accomplish this we must have a market for this power. If we lose this market, then, under our present repayment plan, our projects for future reclamation development cannot be made feasible.

Another phase of this development which should not be overlooked is the fact that some day there may be a demand for navigation up the Snake River through Hells Canyon to southern Idaho. This has long been the dream of

southern Idahoans since the pioneers first settled here many years ago. High dams such as the proposed Mountain Sheep and Hells Canyon Dams would require locks several times higher than have yet been built. The feasibility of such locks would seem very doubtful and, in our judgment, would forever preclude the people of southern Idaho from enjoying this means of transportation.

In conclusion we would like to say that the Idaho State Reclamation Association, representing more than 80 per cent of the water users of Idaho, is primarily interested in the fullest possible development and utilization of all the water resources of the state. We are interested not only in protecting all present water rights, but in preserving and protecting the waters of southern Idaho for future reclamation development. We would like to urge that if any consideration is to be given to the construction of dams for power purposes in Hells Canyon, that the legislation authorizing such projects should contain language similar to the provisions of the O'Mahoney-Millikin Amendments to the Flood Control Act of 1944 and the Rivers and Harbors Act of 1945, to the end that the use of these waters for power purposes shall not conflict with any beneficial consumptive use, and especially that it shall not conflict with the right to the future use of these waters for reclamation development in southern Idaho. We believe that in any power development program proposed for Idaho first consideration should be given to power projects which may be developed incidental to and in conjunction with our multiple-purpose reclamation projects, in order that the revenues from said power development may be used to help defray the costs of the project beyond the ability of the water users to repay. We believe that the waters of the Snake River and its tributaries in southern Idaho should be forever protected and preserved for the development of that area.

20223

September 12, 1947

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

Dear Mr. Kulp:

The attention of the Board of Directors of the Idaho State Reclamation Association has been called to the fact that there is now pending before your Department an application by the Idaho Power Company for a permit to appropriate 16,000 second feet of water from Snake River for a proposed dam and power development at the Oxbow site, Idaho-Oregon boundary, in Hells Canyon below Weiser.

In this connection we would like to call your attention to a statement, copy of which is attached, which was submitted by this Association at a hearing, held in Lewiston, Idaho, July 9th of this year, by the Corps of Engineers, for the purpose of obtaining the views of local and interested citizens relative to proposed dams on Snake River in Hells Canyon above Lewiston. The Idaho State Reclamation Association takes the same position with respect to the proposed dam by the Idaho Power Company.

If your Department is considering granting a permit to the Idaho Power Company, we would like to urge that in the granting of said permit, limitations be imposed upon the power company limiting it to only such use as does not conflict with any beneficial consumptive use in the Snake River Valley in southern Idaho. We believe that the waters of the Snake River and its tributaries in southern Idaho should be forever protected and preserved for the development of that area.

Respectfully submitted,

IDAHO STATE RECLAMATION ASSOCIATION

By _____
Wm. E. Welsh, Secretary-Manager

WEW:JCO
Encl.

20223

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 4th day of September, 1947, Idaho Power Company, of Boise, Idaho, made application to appropriate Twelve Thousand (12,000) 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. 7°55' W. 2178 feet distant from the Southeast corner of Section 9, Township 6 South, Range 12 East, B. M., and in Lots 1 and 6 of said Section 9, Township 6 South, Range 12 East, B. M.

That the point of use of said water is described as being approximately N. 7°55' W. 2178 feet distant from the Southeast corner of Section 9, Township 6 South, Range 12 East, B. M., and in Lots 1 and 6 of said Section 9, Township 6 South, Range 12 East, B. M.

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 5th day of September, 1947.

MARK H. KULP

State Reclamation Engineer

Date of first publication _____
Date of last publication _____
Last date for protest: October 15, 1947

SERVICE OF THE FOREGOING, by copy, is hereby admitted, this _____
day of September, 1947.

IDAHO POWER COMPANY

By _____

Its : _____

20223

September 5, 1947

Re: Application No. 27771

Mr. A. C. Inman, Secretary,
Idaho Power Company,
No. 1240 Idaho St.
Boise, Idaho

Dear Mr. Inman:

We have duly filed the application of the Idaho Power Company for permit to appropriate 12,000 cubic feet per second of water from Snake River, for power purposes, and enclose herewith the Departmental Receipt No. 20132 for the \$3,004.75 filing fee.

Duplicate copies of the Notice in connection with this application are enclosed. Please acknowledge service on the original, retaining the copy for your own files.

Please also execute Form 11 enclosed, which is your authorization for us to have the notice published, at your expense, in the designated county newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A
Encls.

20223



IDAHO POWER COMPANY

BOISE, IDAHO

September 4, 1947

Department of Reclamation
State Capitol Building
Boise, Idaho

Gentlemen:

I am transmitting herewith application of Idaho Power Company to appropriate 12,000 cfs of the waters of Snake River for electric power generating purposes in connection with this Company's proposed Bliss Hydroelectric Development, with Balance Sheet of the Company as of July 31, 1947, attached and together with check for filing fee in the amount of \$3004.75.

Two copies of map of the proposed project development are also enclosed.

Very truly yours,

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

A C Inman
Secretary

ACI:jh

Encls (4)

20223

Idaho Power Company
BALANCE SHEET
As of July 31, 1947
(Subject to Approval of Independent Auditors)

Assets And Other Debits

Electric Plant (see Note 1):		
Electric plant in service	\$ 42,126,142.03	
Construction work in progress	8,705,135.76	
Electric plant acquisition adjustments . . .	<u>2,155,624.11</u>	
Total electric plant		\$52,986,901.90
Investment And Fund Accounts:		
Other physical property	\$ 169,528.64	
Other investments	44,508.00	
Miscellaneous special funds	<u>2,904.35</u>	
Total investment and fund accounts.		216,940.99
Current And Accrued Assets:		
Cash.	\$ 1,187,918.45	
Special deposits	76,610.25	
Working funds	32,521.72	
Notes receivable	5,748.90	
Accounts receivable:		
Customers.	504,725.93	
United States Government - Refund of prior years' income and excess profits taxes (see Note 2)	155,272.32	
Other	18,415.73	
Materials and supplies.	1,013,390.28	
Prepayments	24,172.13	
Other current and accrued assets	<u>425.00</u>	
Total current and accrued assets.		3,019,200.71
Deferred Debits:		
Preliminary survey & investigation charges. . \$	13,860.67	
Clearing accounts	21,709.52	
Other work in progress	847.60	
Premium on preferred stocks retired and other expenses related thereto-Unamortized portion	319,264.26	
Expenditures in connection with conversion of gas users to electric service (see Note 3) .	325,232.91	
Other deferred debits	<u>96,982.25</u>	
Total deferred debits		777,897.21
Capital Stock Expense		<u>269,305.20</u>
Total assets and other debits		<u>\$57,270,246.01</u>

Notes 1 to 5, both inclusive, appearing on page 3 of Exhibit 4, are integral parts of this statement and should be considered in connection therewith.

20223

Idaho Power Company
BALANCE SHEET
As of July 31, 1947
(Subject to Approval of Independent Auditors)

Liabilities And Other Credits

Capital Stock:

4% preferred, cumulative, \$100 par; authorized, 200,000 shares; outstanding, 100,000 shares (see Note 4).	\$10,000,000.00	
Premium on 4% preferred stock	278,826.00	
Common, \$20 par; authorized, 900,000 shares; outstanding, 450,000 shares.	<u>9,000,000.00</u>	
Total capital stock.		\$19,278,826.00

Long-Term Debt:

First Mortgage Bonds, 3 1/8% Series due 1973.	\$18,000,000.00	
First Mortgage Bonds, 2 3/4% Series due 1977.	<u>5,000,000.00</u>	
Total long-term debt.		23,000,000.00

Current And Accrued Liabilities:

Notes payable	\$ 700,000.00	
Accounts payable.	605,420.07	
Dividends declared.	302,500.00	
Matured interest.	125.00	
Customers' deposits	64,235.49	
Taxes accrued	1,805,235.04	
Interest accrued.	188,032.22	
Other current and accrued liabilities	<u>35,379.95</u>	
Total current and accrued liabilities.		3,700,927.77

Deferred Credits:

Unamortized premium on debt	\$ 463,893.38	
Customers' advances for construction.	15,118.66	
Other deferred credits.	<u>231,886.75</u>	
Total deferred credits		710,898.79

Reserves:

Reserve for property retirement (see Note 5).	\$ 7,401,497.16	
Reserve for amortization of electric plant acquisition adjustments	646,211.37	
Reserve for uncollectible accounts.	17,530.39	
Injuries and damages reserve.	<u>14,095.39</u>	
Total reserves		8,079,334.31

Contributions In Aid Of Construction. 195,159.60

Earned Surplus. 2,305,099.54

Total liabilities and other credits. \$57,270,246.01

Notes 1 to 5, both inclusive, appearing on page 3 of Exhibit 4, are integral parts of this statement and should be considered in connection therewith.

Idaho Power Company
NOTES TO BALANCE SHEET
July 31, 1947

- 1 - Electric plant in service is stated on the basis of original cost when first devoted to public service in accordance with reports filed with the Federal Power Commission and state regulatory authorities. Pursuant to orders of such authorities, a reserve is being provided for amortization of the item of electric plant acquisition adjustments, \$2,155,624.11, by annual charges to income; of this amount \$2,091,576.09 is being amortized over a period of fifteen years beginning with the year 1943. The book value of electric plant does not purport to represent present realizable values or replacement cost.
- 2 - The Federal income tax returns of the Company for the years 1941 to 1944, inclusive, have been examined by the United States Treasury Department. The amount of \$155,272.32, shown as a receivable from the United States Government in the above balance sheet, represents refunds of Federal income and excess profits taxes of prior years receivable on the basis of the Revenue Agent's adjustments for those years.
- 3 - In accordance with regulatory authority, the Company is amortizing expenditures made to December 31, 1946, in connection with conversion of gas users to electric service, by monthly pro rata charges to income over a period of approximately six and two-thirds years beginning January 1, 1945.
- 4 - Provisions of the By-laws authorize the Board of Directors to fix dividend rates and redemption prices for authorized but unissued preferred stock, by amendment of such By-laws.
- 5 - It is the Company's practice to provide for retirements of property by making such provisions from current income as are considered by the management necessary to provide for retirements when they occur. Such provisions are considered to be adequate in view of the Company's maintenance program and a study made by the Company of depreciation requirements based on the estimated lives of individual units of depreciable property. Charges to property retirement reserve consist of the book value of property retired (estimated if not known) plus removal costs, less salvage.

20223

cost publication 11 52

bill approved
for payment 10-20-47

Cost of publication \$ 11.60
Bill approved for
payment 11/12/47

R.S.

**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.

02-02064
02-02060

RECEIVED

JAN 11 1999

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426

Department of Water Resources

DEC 28 1998

02-02060

02-02057

OFFICE OF HYDROPOWER LICENSING

Project No. 2778-Shoshone Falls
Project No. 2777-Upper Salmon Falls
Project No. 2061-Lower Salmon Falls
Project No. 1975-Bliss
Idaho Power Company

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

Dear Mr. Wardle:

On February 13, 1998, FERC sent to Idaho Power requests for Additional Information (AIRs) for the above mentioned hydropower projects.

You have requested that AIR #5 and #11 be eliminated based on consultation and concurrence by the Idaho Department of Fish & Game and the U.S. Fish and Wildlife Service.

Staff have reviewed your request and find it reasonable. Your request is granted.

Sincerely,

Ann F. Miles

for AFM

Ann F. Miles
Chief
Licensing West Branch

cc: Public Files
Mailing List

RECEIVED

APR 20 1998

Department of Water Resources

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D. C. 20426

OFFICE OF HYDROPOWER LICENSING

Project Nos.: 1975 - Bliss 02-2004
2061 - Lower Salmon Falls 02-2004
2777 - Upper Salmon Falls 02-2036
2778 - Shoshone Falls 02-2057
Idaho Power Company

APR 08 1998

Craig Jones, Project Manager
Hydro Relicensing Dept.
Idaho Power Company
P.O. Box 70
Boise, ID 83707

Dear Mr. Jones :

This letter confirms our meeting and site visits of the Bliss, Lower & Upper Salmon Falls, and Shoshone Falls hydroelectric projects on the Snake River.

The purpose of the meeting and site visits is to familiarize FERC's Contractor Staff, Berger and Associates, with project operations and associated resource issues prior to their preparing the environmental review of project impacts.

A meeting will be held Monday, May 4, 1:30 - 4:30 at Idaho Power's Corporate headquarters, 1221 W. Idaho Street, Boise, to brief FERC Contractor Staff. May 5, 8:00 - 5:00 will be site visits of Shoshone Falls and Upper Salmon Falls projects; May 6, 8:00 - 5:00 will be site visits of Lower Salmon Falls and Bliss projects.

By copy of this letter, all parties in these proceedings are notified of the meeting and site visits and may attend if they so desire. If you plan to attend the meeting or any of the site visits, please RSVP John Blair by FAX (202) 219-2152 no later than April 22.

Sincerely,



Carol L. Sampson
Director
Office of Hydropower Licensing

cc: Public Files
Service Lists

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Project No. 1975

- 2 -

Idaho Power Company

)

Project No. 1975

NOTICE OF AUTHORIZATION FOR CONTINUED PROJECT OPERATION

(March 5, 1998)

If the project is not subject to Section 15 of the FPA, notice is hereby given that Idaho Power Company is authorized to continue operation of the Bliss Project No. 1975 until such time as the Commission acts on its application for subsequent license.

On December 20, 1995, Idaho Power Company, licensee for the Bliss Project No. 1975, filed an application for a new or subsequent license pursuant to the Federal Power Act (FPA) and the Commission's Regulations thereunder. Project No. 1975 is located on the Snake River in Gooding, Twin Falls, and Elmore Counties, Idaho.

The license for Project No. 1975 was issued for a period ending February 28, 1998. Section 15(a)(1) of the FPA, 16 U.S.C. 808(a)(1), requires the Commission, at the expiration of a license term, to issue from year to year an annual license to the then licensee under the terms and conditions of the prior license until a new license is issued, or the project is otherwise disposed of as provided in Section 15 or any other applicable section of the FPA. If the project's prior license waived the applicability of Section 15 of the FPA, then, based on Section 9(b) of the Administrative Procedure Act, 5 U.S.C. 558(c), and as set forth at 18 CFR 16.21(a), if the licensee of such project has filed an application for a subsequent license, the licensee may continue to operate the project in accordance with the terms and conditions of the license after the minor or minor part license expires, until the Commission acts on its application. If the licensee of such a project has not filed an application for a subsequent license, then it may be required, pursuant to 18 CFR 16.21(b), to continue project operations until the Commission issues someone else a license for the project or otherwise orders disposition of the project.

If the project is subject to Section 15 of the FPA, notice is hereby given that an annual license for Project No. 1975 is issued to Idaho Power Company for a period effective March 1, 1998, through February 28, 1999, or until the issuance of a new license for the project or other disposition under the FPA, whichever comes first. If issuance of a new license (or other disposition) does not take place on or before February 28, 1999, notice is hereby given that, pursuant to 18 CFR 16.18(c), an annual license under Section 15(a)(1) of the FPA is renewed automatically without further order or notice by the Commission, unless the Commission orders otherwise.

David P. Boergers
Acting Secretary

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MAR 13 1998

Department of Water Resources

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FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300

P-1975 101465
DIRECTOR
IDAHO DEPARTMENT OF WATER RESOURCES
1301 NORTH ORCHARD ST. (ZIP 83706-2237)
POST OFFICE BOX 83720-0098
BOISE, ID 83720-0098

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C.

Office of Hydropower Licensing

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

DATE: DEC 18 1997

MEMORANDUM TO: The Party Addressed

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

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

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

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

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

Attachment: Scoping Document 2

SCOPING DOCUMENT 2



I. CUMULATIVE ANALYSIS OF THE SNAKE RIVER BASIN

and

II. PROJECT-SPECIFIC ANALYSIS

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

December 1997

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

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Department of Water Resources

1997-02064

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

We have concluded that issuing federal action significantly affecting prepare a multi-project EIS for these

Approaches to Site-specific and Cumulative Effects Analysis

Evaluating cumulative effects provides a challenge given that four of the remaining four projects will be, for assessing cumulative impacts, the expiration of the licenses, the geologic data with which to conduct a cumulative effects analysis.

Because of the substantial information initially prepared a discussion paper public meeting, and solicited comment selection of an approach until after (approaches C and D) to Scoping I (See appendix A for more detailed information).

Approach A--Staff would prepare a cumulative effects analysis of all eight Idaho Power projects (anadromous fish, Swan Falls Projects) and cumulative analyses would be included in the EIS.

Approach B--Staff would first prepare a cumulative effects analysis of all eight Idaho Power projects, then proceed with site-specific analysis would stand apart from, but covering the project-specific impacts updated as new information is developed.

Approach C--Staff would prepare a cumulative effects analysis of all eight Idaho Power projects (as in approach B), but would also prepare a cumulative effects analysis for the Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects. Both documents would be issued as separate documents and would tie off of the cumulative effects analysis.

SCOPING DOCUMENT 2

I. CUMULATIVE ANALYSIS OF THE SNAKE RIVER BASIN

II. PROJECT-SPECIFIC ANALYSIS

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

1.0 INTRODUCTION

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

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

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

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

² U.S.C. Sect. 791(a)-825(r).

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

- The relationship between the first four projects and the downstream projects in terms of anadromous fish is limited given the limited storage of these four projects and the downstream obstacles that must be overcome before serious consideration can be given to restoring anadromous fish upstream of Bliss dam
- Any unresolved anadromous fish issues (such as future fish passage) at the first four projects can be dealt with through reopeners
- Information on anadromous fish for the Hells's Canyon Project is incomplete - Idaho Power is just initiating its relicensing studies (most won't be complete until 2000-2001)
- The Bureau of Reclamation's Snake River Resources Review, which would provide information that could be used by the Bureau to alter operation of its projects--and thus could significantly affect the timing and quantity of flows in the project reaches--won't be completed until 2000
- The National Marine Fisheries Service's existing Biological Opinion on endangered Snake River salmon species will be reissued after 1998

Although we do not plan to initiate a cumulative analysis of anadromous fish at this time, we do not plan to ignore the anadromous fish issue. We will initiate a preliminary review of the anadromous fish issues associated with the relicensing of the Idaho Power projects. Given the great regional interest and the expected controversy in this issue, getting an early start evaluating the anadromous fish issue would be prudent. Our early involvement will allow us to: evaluate information and study needs; coordinate with the collaborative team and with the Bureau of Reclamation's Snake River resources review; and develop analytical tools earlier in the process. This effort will complement and be coordinated with the Commission's discussions with the National Marine Fisheries Service on the impacts of the Hells Canyon Project on listed salmon species.⁶

Concerning reopeners, we have determined that the need for reopeners to address unresolved issues for the first four projects would be limited. Based on a review of scoping comments and our preliminary analysis, potential reopeners would likely be limited to fish passage questions.

We will hold workshops and work with the Snake River Relicensing Collaborative resource workgroups as necessary to better define issues and develop analytical techniques to

⁶ Letter from James J. Hoecker, Chairman, Federal Energy Regulatory Commission, Washington, D.C., to William Stelle, Jr., Regional Administrator, National Marine Fisheries Service, Seattle, Washington, December 3, 1997.

deal with certain issues (such as water quality modeling) for both the cumulative analysis and anadromous fish review.

Questions concerning Snake River relicensing should be directed to Alan Mitchnick, Chief, Lands Review Section, West Branch, FERC, at (202) 219-2826, or John Blair, Snake River Relicensing Environmental Coordinator, FERC, at (202) 219-2845.

2.0 SCOPING

Scoping is the process used to identify issues, concerns, and opportunities associated with a proposed action.

2.1 Purposes of Scoping

The purposes of the scoping process are as follows:

- Invite participation of federal, state, and local agencies, Indian tribes, and other interested persons to identify significant environmental and socioeconomic issues related to the proposed action
- Determine the depth of analysis and significance of issues to be addressed in the EIS
- Identify how the projects would or would not contribute to cumulative impacts to the project area and the Snake River Basin
- Identify reasonable alternatives to the projects that we should evaluate
- Eliminate from detailed study the issues and resources that don't require detailed analysis during review of the projects

We issued Scoping Document 1 (SD1) on June 5, 1997,⁷ to enable appropriate resource agencies, Indian tribes, and other interested parties to more effectively participate in and contribute to the scoping process. In SD1, we requested clarification of preliminary issues concerning the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects and the Cumulative Analysis of the Snake River Basin and identification of any new issues that needed to be addressed in the environmental documents. We revised SD1

⁷ Copies of SD1 were mailed to all entities included in appendix E on June 11, 1997. A notice of intent to prepare an EIS and conduct scoping meetings and a site visit was published in the Federal Register on June 11, 1997 (volume 62, no. 112, pp. 31815-31816), and in local newspapers on July 1, and July 8, 1997.

Expected Filing Date*	Snake River mile
December 1995	560.0
December 1995	573.0
December 1995	580.0
May 1997	615.0
Nov. 1998	494.0
July 2002	enters the Snake River at river mile 571.5
July 2003	284.6
	272.2
	247.0
June 2008	458.0

an application at least 2 years

the actions of many projects in the Snake River Basin, including projects owned and operated by the Bureau of Reclamation and the U.S. Army Corps of Engineers and all non-hydropower projects. Therefore, we will not assume the role of lead agency in developing, analyzing, and directing alternative structural and/or operational configurations of non-jurisdictional projects in the Snake River Basin.

We will, however, evaluate how the eight Idaho Power projects could be operated to be consistent with all relevant federal or state comprehensive plans for improving, developing, or conserving the waters of the Snake River Basin, including plans for augmenting flows for anadromous fishes. We will evaluate how the operation of the Idaho Power projects could be consistent with the Snake River management plans of the Bureau of Reclamation and the U.S. Army Corps of Engineers. We will also evaluate how the operation of the Idaho Power projects could be consistent with the Snake River management plans and policies of the U.S. Forest Service. We will also evaluate how the operation of the Idaho Power projects could be consistent with the Snake River management plans and policies of the U.S. Fish and Wildlife Service.

Basin-wide Effects of Flow Augmentation

Idaho Department of Water Resources commented that the flow augmentation project is not intended to impose a reallocation of water in ways that interfere with proprietary water rights."

Idaho Departments of Fish and Game and Recreation and Parks commented that the Commission "intended to examine the effects of all salmon-related flow augmentation actions throughout the Snake River Basin whether or not the flow augmentation was related to the relicensing of the Idaho Power projects."

Our evaluation of flow augmentation will be limited to evaluating how flow augmentation would change baseline conditions in the Idaho Power reach; how Idaho Power projects could be coordinated with the flow augmentation; what changes are needed at the Idaho Power projects; and the effects of these changes on economic and environmental resources.

Watershed Analysis

The Forest Service requests that a watershed analysis be conducted for the Hells Canyon Project and that riparian/wetland habitat, bald eagles, peregrine falcons, MacFarlane's four-o'clock, and native grassland and shrubs be evaluated at the 5th field hydrologic unit. The Forest Service suggests that a watershed analysis is a necessary part of the cumulative analysis.

The Forest Service's request for a watershed analysis for all of these resources focuses on the Hells Canyon Project area--thus we will defer consideration of a watershed analysis. Our cumulative effects analysis for MacFarlane's four-o'clock will be addressed in

the EIS prepared for Hells Canyon because of this species' restricted distribution in the Snake River to a portion of Hell's Canyon.

3.0 IDAHO POWER RELICENSES AND ALTERNATIVES

3.1 Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects

The Bliss Project, built in 1941, involves 183.95 acres of Bureau of Land Management (BLM) land. The Lower Salmon Falls Project, built in 1910 involves 29.2 acres of BLM land and 58.06 acres of National Park Service (NPS) land (Hagerman Fossil Beds National Monument). The Upper Salmon Project, built in 1910, doesn't involve any federal lands. The location of the three projects is shown in figure 2.

3.1.1 Project Facilities

The Bliss Project (figure 3) consists of:

- A 364-foot-long, 38-foot-high concrete gravity dam and 216-foot-long spillway
- A 5-mile-long, 255-acre reservoir at elevation 2,654.0 feet above mean sea level (msl), with a total storage capacity of 11,100 acre-feet
- A powerhouse (integral with the dam) with a total capacity of 75 megawatts (MW), producing about 493 gigawatthours (GWh) annually
- A 10.5-mile-long, 138-kilovolt (kV) primary transmission line

The Lower Salmon Falls Project (figure 4) consists of:

- A 700-foot-long, 38-foot-high dam, consisting of a 31-foot-long powerhouse section, a 97-foot-long concrete bulkhead section, which includes an intake to the fish ladder; a 312-foot-long gated spillway section; a 180-foot-long overflow dam section, and an 80-foot-long left (west) abutment
- A 6.6-mile-long, 750-acre reservoir at elevation 2,798.0 feet msl, with a total storage capacity of 10,900 acre-feet
- A powerhouse with a total capacity of 60 MW producing about 343 GWh annually

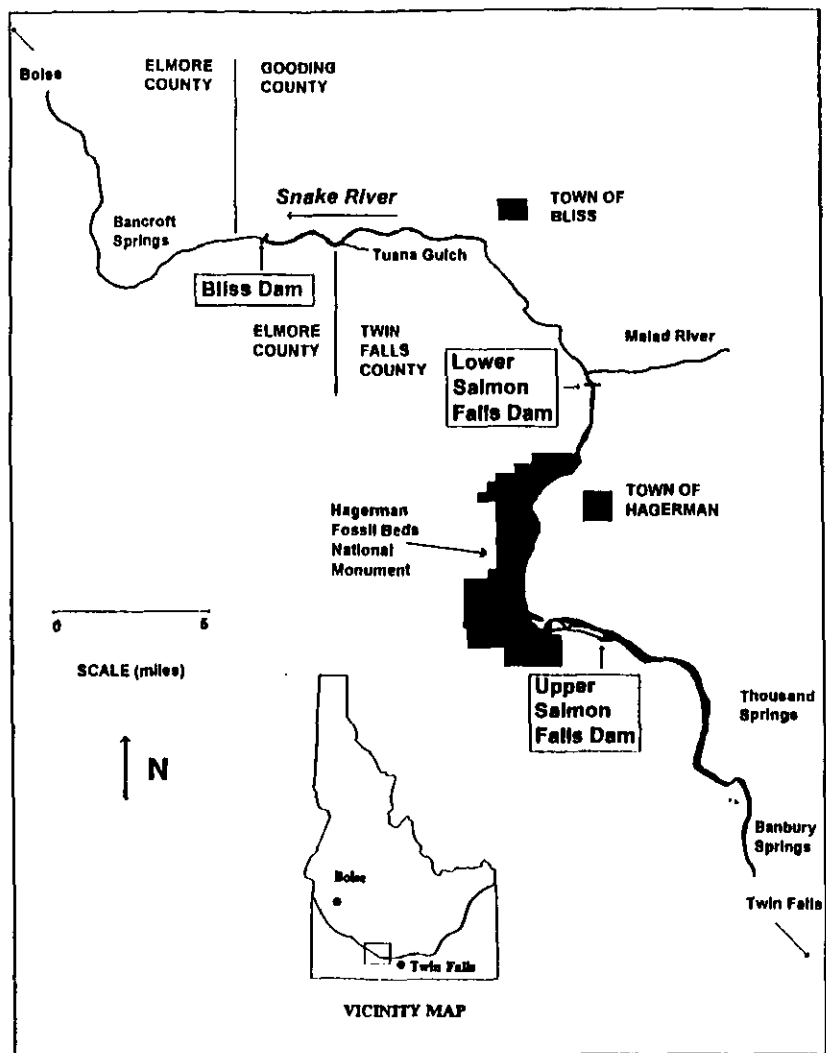


Figure 2. Location of the Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects.

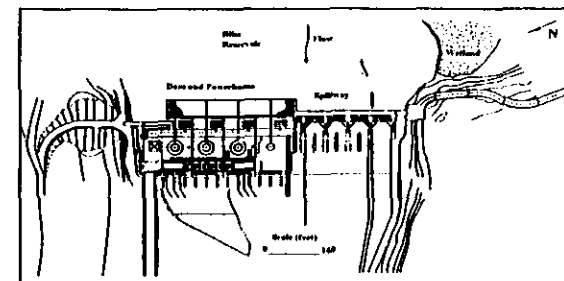


Figure 3. Project facilities for the Bliss Project (Source: Idaho Power, as modified by staff).

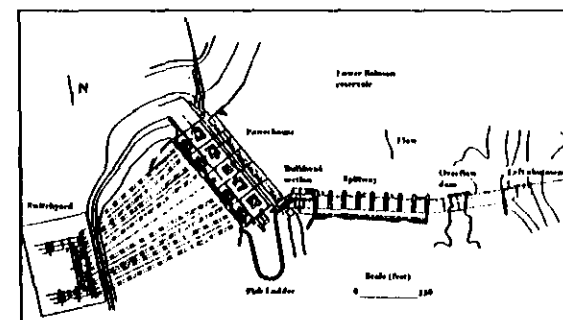


Figure 4. Project facilities for the Lower Salmon Falls Project (Source: Idaho Power, as modified by staff).

- Two 138-kV primary transmission lines (0.10- and 0.15-mile-long) from the switchyard to the King substation

The Upper Salmon Falls Project (figure 5) consists of:

- A 1,620-foot-long, 14-foot-high concrete dam, consisting of a 240-foot-long gated spillway section; a 610-foot-long gravity dam with flashboards; a 275-foot-long intake structure; and a 420-foot-long abutment gravity section
- A 5.8-mile-long, 50-acre reservoir at elevation 2,878.2 feet msl, with a total storage capacity of 600 acre-feet

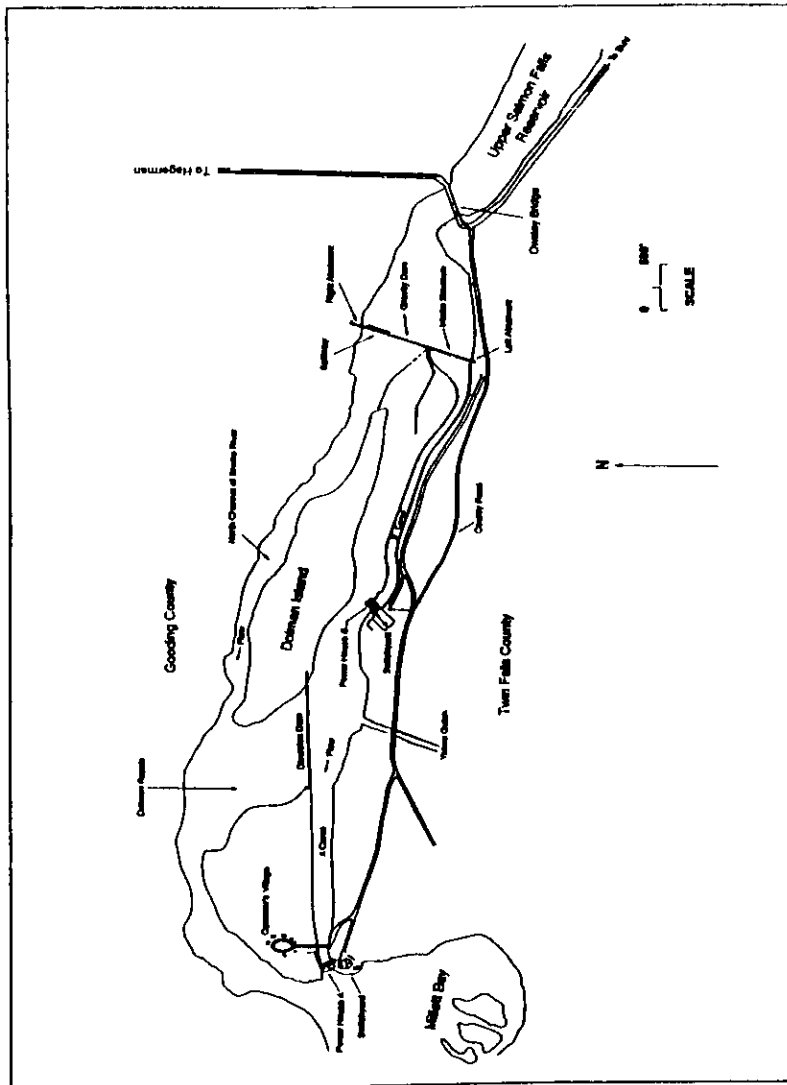


Figure 5. Project facilities for the Upper Salmon Falls Project.

- A 3,200-foot-long, concrete-lined canal
- A 1,380-foot-long, diversion structure across Dolman Rapids, separating the north channel from the main channel of the Snake River
- Two powerhouses (A and B), with a total capacity of 34.5 MW producing about 321 GWh annually
- A 1.8-mile-long bypassed reach

3.1.2 Proposed Project Operation

Figure 6 shows, schematically, the river-mile location, reservoir size, plant hydraulic capacity, and method of operation for the Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects on the middle Snake River. Except for automating some of the plant operations, as described below, Idaho Power is not proposing any changes to the existing mode of operation.

Bliss Project

The Bliss powerhouse was automated in 1995 and is currently staffed 8 hours a day. During the unmanned periods the plant is controlled remotely, by an operator stationed at Idaho Power's Boise Bench Dispatch Center, located southeast of Boise.

Idaho Power operates the Bliss Project to help meet its peak hourly system loads; over a 24-hour period project releases are equal to inflow to the reservoir. The reservoir is maintained between elevation 2654.0 and 2649.0 feet msl. Operating within this range provides 1,250 acre-feet of useable storage.

Lower Salmon Falls

The Lower Salmon Falls Project is manually operated, with personnel on duty 24 hours per day, seven days a week. The project is operated to maintain reservoir levels between the elevations of 2792.0 and 2798.0 feet msl. With 4,100 acre-feet of useable storage, Idaho Power operates the project to help meet short-term (hourly) peak system loads. Idaho Power *automated the project* in 1996 for remote operation from the Boise Bench Dispatch Center. After automation, operators will be on-site eight hours per day and on call during the remaining time.

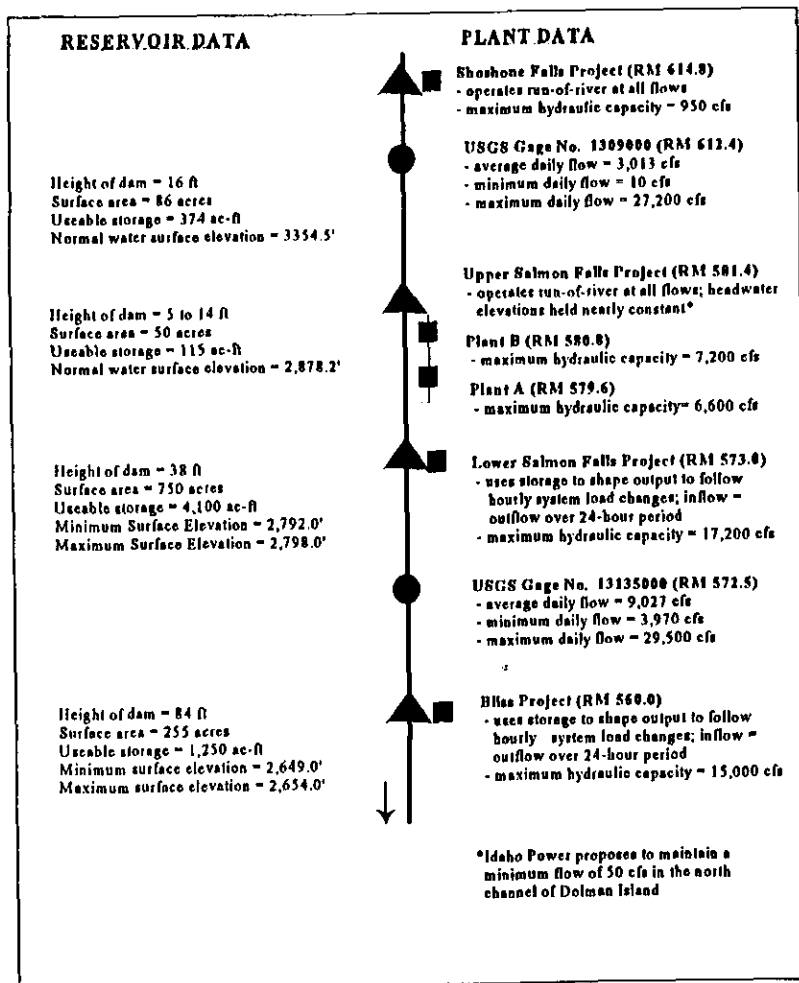


Figure 6. Reservoir and plant data for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Hydroelectric Projects.

Upper Salmon Falls

The Upper Salmon Falls Project has two powerhouses: plant A is located 1.8 miles downstream of the Upper Salmon Falls dam and plant B is about 0.6 mile below the dam. Plant A is manned 24 hours a day and plant B is manned from 7:30 a.m. to 4:30 p.m.; when plant B is not manned, it is controlled remotely from plant A. Idaho Power *automated plant A in 1997, and plans to automate plant B in 1998.*

Idaho Power proposes to continue to operate the Upper Salmon Falls Project run-of-river under all river flow conditions. Except for minor fluctuations caused by changing inflows, headwater elevation is held constant at 2841.3 feet msl at Plant A and 2878.2 feet msl at Plant B. The project reservoir provides a useable storage of 115 acre-feet.

3.1.3 Proposed Protection and Enhancement Measures

Idaho Power proposes to operate the projects as described above, with the following protection and enhancement measures. These measures are discussed in detail in volume 6 of the technical appendices of the license applications.

Water Quality and Quantity

- Continue its involvement in the Middle Snake River *Watershed* Management Plan
- Harvest aquatic macrophytes at all three projects
- Provide a minimum flow of 50 cfs in the north channel at the Upper Salmon Falls Project
- Monitor temperature and dissolved oxygen at all three projects to ensure that state standards are met

Aquatic Resources

- Stock fish in Bliss (undetermined numbers of warmwater fish species), Lower Salmon Falls (23,000 catchable-sized rainbow trout), and Upper Salmon Falls (6,000 catchable-sized rainbow trout) reservoirs
- Continue its involvement in the development of a white sturgeon conservation plan
- Protect spring habitat for aquatic endangered species, Idaho species of special concern, and rainbow trout spawning

- Continue its involvement in the development of a snail conservation plan

Terrestrial Resources

- Preserve, enhance, and manage 76 acres of the 425-acre Thousand Springs Preserve, now owned and operated by The Nature Conservancy, which supports sensitive riparian habitats, springs, and sensitive plants (Idaho Power has contributed about \$500,000 towards the purchase of the preserve.)
- Implement the following enhancement/protection measures at Banbury Springs: (1) protect the rare water birch (*Betula occidentalis*) community from further degradation, (2) revegetate disturbed areas, and (3) monitor the revegetation efforts and the continued health of the forest
- Provide long-term protection of the riparian vegetation associated with Dolman Rapids through continued maintenance of the barbed wire fence Idaho Power constructed in 1992 to prevent cattle from straying into the riparian vegetation and entering the streambed
- Preserve riparian resources on the applicant's existing landholdings at Bancroft Springs, Lower Salmon Falls, and Tuana Gulch by: (1) developing a land management plan for each area, (2) removing grazing through fencing or agreements with the Bureau of Land Management, (3) revegetating severely disturbed areas, (4) installing sediment traps at Tuana Gulch, and (5) maintaining and monitoring revegetated areas
- Provide additional protection to heron rookeries by protecting and enhancing habitat conditions of islands owned by Idaho Power
- Create a preserve for chatterbox orchid (*Epipactus gigantea*) at Banbury Springs
- Create a preserve for Torrey's blazingstar (*Mentzelia torreyi* var. *acerosa*) at Tuana Gulch
- Enhance weed control on Idaho Power lands

Aesthetic Resources

- Preserve and protect the aesthetic value of Bancroft Springs, Banbury Springs, and Thousand Springs
- Prepare an Aesthetic Resource Protection Plan

- At Upper Salmon Falls, landscape an area immediately adjacent to an existing visitor overlook

Cultural Resources

- Implement cultural resources management plans to maintain the historical integrity of cultural resources at the projects
- Establish a 375-acre cultural research preserve to protect prehistoric and historic archeological sites in the preserve, and to support innovative archeological research that would be applicable to other projects
- Construct and maintain interpretive kiosks to educate the public about Native American use of the project areas

Recreational Resources

- Continue to operate and maintain the Upper Salmon Falls powerhouse 'A' picnic area
- Enhance the Owsley Bridge boat launch facility by enlarging the parking area, installing a vault toilet, improving the boat ramp and dock facilities, graveling the parking area, and redesigning traffic patterns within the facility
- Enhance the Lower Salmon Falls Park by increasing the parking area, providing a new restroom facility, improving the boat ramp and dock facilities, paving roads and parking areas, adding a group picnic shelter, landscaping, and redesigning traffic patterns within the park
- Enhance the Lower Salmon Falls whitewater access below the Lower Salmon Falls dam by graveling the parking area, providing a portable toilet (seasonal), and improving the float boat ramp
- Enhance the Snake/Malad Rivers whitewater access site by enlarging the parking area, providing a portable toilet (seasonal), and improving the float boat ramp
- Enhance the Bliss reservoir boat launch access area by obtaining a long-term lease of the property, enlarging the parking area, providing a vault toilet and additional picnic sites, and improving the boat ramp and dock
- Continue to operate and maintain the existing Bliss day-use park facility

- Provide buffer zones at developed recreation facilities and special resource value areas--through such things as signs, safety/no wake buoys, and fencing--to ensure public safety and protect natural resources
- Consult with resource agencies every 10 years to decide if a needs assessment is necessary for reviewing the adequacy of the recreation plan
- Provide monetary assistance to the National Park Service to enhance environmental education and visitor information in the Hagerman Fossil Beds National Monument and Upper Salmon Falls and Lower Salmon Falls project vicinities.

3.1.4 Additional Study Requests

In response to the notice of tendering of the application for the Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects, issued on January 4, 1996, nine entities filed 75 study requests (appendix B).

3.2 Shoshone Falls Project

3.2.1 Project Facilities

The project, initially built between 1901 and 1909, involves 4.85 acres of lands administered by BLM. Major facilities (figure 7) include:

- A 779.6-foot-long (average height of 16 feet) concrete diversion dam located above the crest of Shoshone Falls, consisting of four sections separated by rock islands, three of which function as uncontrolled overflow spillway sections, and a fourth, 380-foot-long gated spillway section fitted with 5-foot-high wooden slide gates
- A 1.8-mile-long, 86-acre reservoir at normal operating elevation of 3,354.5 feet msl, with a total storage capacity of 1,500 acre-feet and a usable storage of 374 acre-feet
- A 450-foot-long tunnel and 120-foot-long, 10-foot-diameter penstock
- A powerhouse located on the north bank of the river downstream of Shoshone Falls with three units with a total generating capacity of 12.5 MW, producing about 110 GWh annually
- A 100-foot-long tailrace

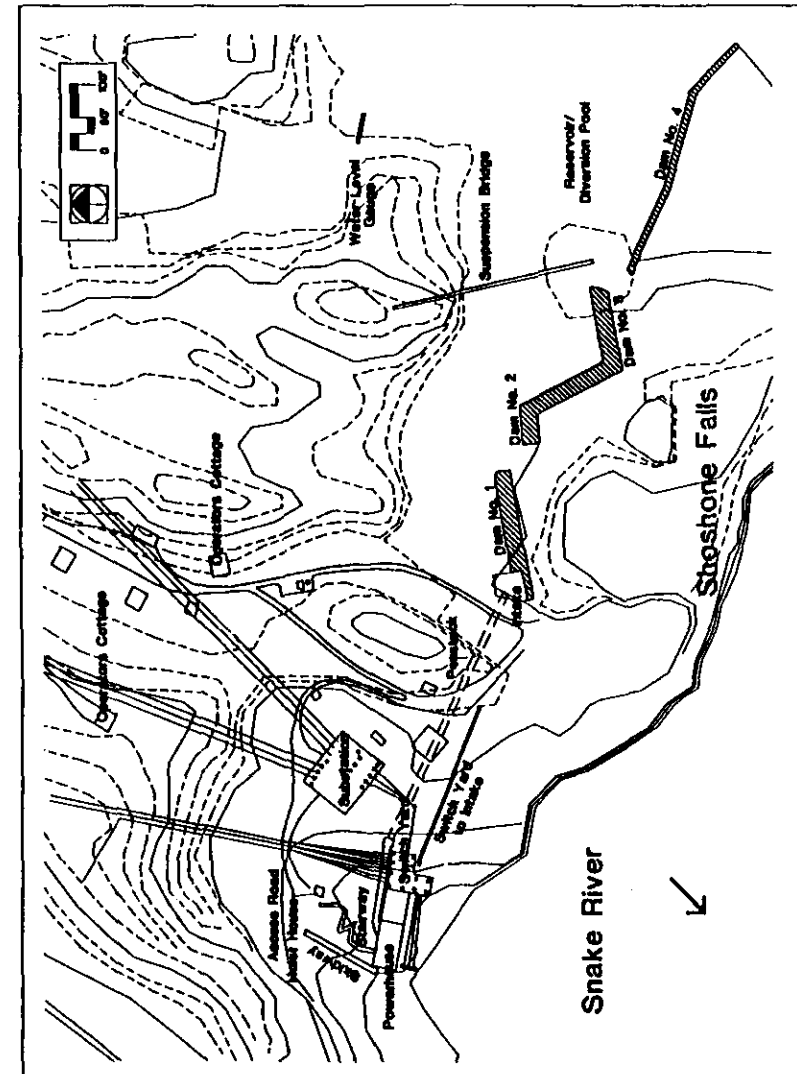


Figure 7. Project facilities for the Shoshone Falls Project (Source: Environmental Vision, October 1996).

The Shoshone Falls Project is manually operated, with personnel on duty eight hours a day. Idaho Power proposes to continue operating the project run of river by controlling the flow through the project to maintain the headwater elevation near the crest of the overflow spillway. The headwater elevation is remote from the spillway and the staff and personnel are on-call when the plant is generating. Idaho Power plans to automate the plant in 1998, enabling remote operation from the Idaho Falls Control Center.

All the above data are consistent with the hypothesis that the β -phase is a β -form of Fe_2O_3 with a capacity for Fe^{2+} ions. A further confirmation of this hypothesis is provided by the fact that the β -phase is not observed in the Fe_2O_3 - FeO system (figure 6).

Water Quality and Quantity

- Adopt and fully implement the Middle Snake River *Watershed* Management Plan
- Monitor water temperature and dissolved oxygen in powerhouse releases from June 15 through October 15

- Establish a sport fishery in the reservoir by annually stocking 2,500 catchable-sized trout

- **Develop artificial wetlands at the LQ and LS Drains**

- Assure a minimum flow over the falls of 300 cfs from April 1 through *Labor Day* during daylight hours

- Construct signs depicting history of hydropower development in the project area
- Conduct limited data recovery at rock shelters within the project area

- Invest \$50,000 toward recreational facility enhancements in the vicinity of the Shoshone Falls Project area
- Match, dollar for dollar, expenditures toward recreational or viewing opportunities in Shoshone Falls Park
- Develop and implement an interpretation and information plan for the public

On June 13, 1997, the Commission issued a notice requesting additional study requests for the Shoshone Falls Project. We received requests for three studies from Idaho Department of Fish and Game (appendix B).

3.3.1 Staff's Modification to Idaho Power's Proposed Action

We will consider alternative mitigation and enhancement measures not proposed by the applicant. Alternative measures could include recommendations by resource agencies, other organizations, Indian tribes, the general public, or the staff. We will assess the environmental effects of these measures. To the extent that these measures would reduce the power production from the proposed project, we will evaluate the costs and any fossil-fueled-generation contributions to airborne pollution.

Specifically, we will consider recommending that the projects operate run-of-river at all times to reduce environmental impacts associated with wide and/or rapid fluctuations in the project reservoirs and in downstream river sections. Environmental, economic, and operational consequences of this alternative will be evaluated.

We will develop a preferred alternative for the projects based on a balancing of the expected benefits and costs of the proposed action and the recommendations provided by all stakeholders.

3.3.2 Project Retirement (No Dam Removal)

This alternative would involve denial of the relicense application and surrender or termination of the existing license with appropriate conditions. This alternative would involve retaining the dams and reservoirs and disabling or removing equipment used to generate power. Project works would remain in place and could be used for historic or other purposes. This would require the Commission to identify another government agency willing and able to assume regulatory control and supervision of the remaining facilities (such as project dams, lakes, and existing recreational facilities).

3.3.3 No Action

Under the no-action alternative, the projects would continue to operate under the terms and conditions of their existing licenses, and no new environmental protection, mitigation, or enhancement measures would be implemented. We will use this alternative to establish the baseline environmental and economic conditions for comparison with other alternatives.

3.3.4 Alternatives Considered But Eliminated from Detailed Study

At present, we are proposing to eliminate the following alternatives from detailed study in the EIS.

Project Retirement (Dam Removal)

Under this alternative, project retirement would be accomplished by removing one or more of the project dams. This alternative would involve surrender or termination of the existing license or licenses with appropriate conditions. Existing recreation facilities would be operated and maintained by other entities or removed. Project retirements with dam removal would have the following effects.

- *The energy generated by one or more of the projects would be lost. .. Historically, the four projects have produced about 1,267 GWh of electricity per year. If the energy was no longer available, it would have to be replaced by an alternative source of energy with its associated environmental effects (including emissions of air pollutants)*
- *Project-generated employment and project-generated tax revenues would be lost*
- *The environmental enhancements currently proposed by Idaho Power (see sections 3.1.3 and 3.2.3), including preservation of spring habitat and*

recreational enhancements, and any additional enhancement measures required by the Commission, would be foregone

- *Short-term increases in downstream turbidity and sedimentation and temporary increases in noise, dust, exhaust emissions, and traffic in the project vicinity during dam removal activities would result*
- *Loss of over 1,000 acres of flatwater would result if all four projects were removed--the existing recreational benefits attributed to one or more project's reservoirs (water skiing, swimming, boating, fishing) would be lost or substantially reduced, with related economic losses to local communities*
- *Use of existing recreational facilities (picnic areas, restrooms, boat ramps, etc.) operated and maintained by Idaho Power would be lost if not taken over and managed by other entities*
- *The irrigation pump station at Lower Salmon reservoir may be made inoperable*
- *Removal of the dams would increase riverine habitat by as many as 20 miles, benefiting fish, wildlife, and riparian resources; recreational opportunities (rafting, kayaking, fishing) associated with riverine conditions would increase, with related economic benefits to local communities*
- *Cessation of operation would eliminate impacts associated with water-level fluctuations in reservoirs and in downstream reaches, benefiting fish and riparian habitats*
- *Visual benefits would result from removal of project structures and transmission lines*
- *If one or more of the project dams were removed, then improved fish passage and survival would result*

We are not aware of any agency or commenter recommending removal of any or all of the four project dams.

Based on the above, we don't believe dam removal is a reasonable alternative in this case.

Federal Government Takeover

We don't consider federal takeover to be a reasonable alternative. Federal takeover of the project would require congressional approval. While that fact alone wouldn't preclude further consideration of this alternative, there is currently no evidence showing that a federal takeover should be recommended to Congress. No party has suggested that federal takeover would be appropriate and no federal agency has expressed interest in operating the project.

Nonpower License

A nonpower license is a temporary license that the Commission would terminate whenever it determines that another governmental agency will assume regulatory authority and supervision over the lands and facilities covered by the nonpower license. At this point, no agency has suggested a willingness or ability to do so. No party has sought a nonpower license and we have no basis for concluding that the project should no longer be used to produce power. Thus, we don't consider a nonpower license a realistic alternative to relicensing in this circumstance.

3.4 Description of Idaho Power Relicenses with Applications Not Yet Filed

The following is a description of the other Idaho Power projects that will be evaluated in any cumulative analysis.

3.4.1 Upper and Lower Malad Project

The project, built in 1948, is located on the Malad River--the lowermost part of the project is located about 400 feet from the confluence with the Snake River. The project is located adjacent to the Malad Gorge State Park. No federal lands are affected.

The upper development includes:

- A 150-foot-long concrete gravity dam with a maximum height of about 18 feet
- An estimated 10-acre-foot reservoir at elevation 3,013 feet msl
- A 4,600-foot-long concrete flume
- A powerhouse with one unit with a generating capacity of 8,270 kW
- A 0.6-mile, 46-kV transmission line

The lower development includes:

- A 160-foot-long concrete gravity dam with a maximum height of 16 feet
- An estimated 10-acre-foot reservoir at elevation 2,884.3 feet msl
- A 5,450-foot-long concrete flume
- A powerhouse with one unit with a generating capacity of 13,500 kW

The project is operated run-of-river. A minimum flow of 70 cfs is released from each development.

3.4.2 C.J. Strike Project

The project, built in 1951, involves 3,019 acres of BLM land (Snake River Birds of Prey Natural Area). Major facilities include:

- A 3,220-foot-long dam with a maximum height of 115 feet
- A reservoir impounding 32 miles of the Snake River and 7 miles of the Bruneau River, with an area of 7,500 acres and a gross storage of 250,000 acre-feet
- A powerhouse with 3 units with total capacity of 82.8 MW
- Two 138-kV transmission lines spanning a total of 90 miles

The project is operated for peaking generation.

3.4.3 Swan Falls Project

The project, constructed in 1901, involves 211 acres of BLM land within the Birds of Prey Natural Area. A new powerhouse became operational in 1994. Major facilities include:

- A 1,218-foot-long concrete and rockfill dam, consisting of a 440-foot-long spillway section, a 290-foot-long powerhouse section, a 22.5-foot-long intermediate dam section, and a 111.2-foot-long new powerhouse section
- A 900-acre reservoir with a length of 27 miles and gross storage of 4,800 acre-feet at full pool of 2,314 feet msl
- A powerhouse with two units with a total capacity of 25 MW
- A 1.2-mile-long, 138-kV transmission line

The project is operated to reregulate flows from the upstream C.J. Strike Project. A minimum flow of 5,000 cfs is released from April through September and 4,000 cfs from October through March.

3.4.4 Hells Canyon Project

The Hells Canyon Project involves 9,194 acres of federal land administered by the Forest Service (FS) (Payette and Wallowa National Forests and the Hells Canyon National Recreation Area) and the Bureau of Land Management. The Brownlee, Oxbow, and Hells Canyon developments were constructed in 1957, 1958, and 1965, respectively.

The Brownlee development includes:

- A 1,380-foot-long earth and rockfill dam with a maximum height of 395 feet
- A 14,621-acre, 58-mile-long reservoir with a total storage of 1,420,000 acre-feet and usable storage of 975,318 acre-feet at normal maximum elevation of 2077.0 feet msl (minimum elevation of 1976.0 feet msl)
- A powerhouse containing five units with a total generating capacity of 585.4 MW
- About 485 miles of 230-kV and 77.9 miles of 345-kV transmission line

The Oxbow development includes:

- A 945-foot-long earth and rockfill dam with a maximum height of 209 feet
- A 1,150-acre, 12-mile-long reservoir with a total storage of 53,386 acre-feet and usable storage of 11,100 acre-feet at normal maximum elevation of 1805.0 feet msl (minimum elevation of 1795.0 feet msl)
- A powerhouse containing four units with a total generating capacity of 190 MW
- About 75 miles of 230-kV transmission line

The Hells Canyon development includes:

- A 994-foot-long concrete gravity dam with a maximum height of 320 feet
- A 2,412-acre, 25-mile-long reservoir with a total storage of 167,720 acre-feet and usable storage of 23,060 acre-feet at normal maximum elevation of 1688.0 feet msl (minimum elevation of 1678.0 feet msl)

- A powerhouse containing three units with a total generating capacity of 391.5 MW
- 21.9 miles of 69-kV and 37.9 miles of 230-kV transmission line
- A fish trap

The three developments are operated in close coordination. Brownlee drives the operation of the entire complex. Brownlee is normally operated to meet daily load shaping. Oxbow is closely coordinated with the operation of the upstream Brownlee plant, and typically functions as a reregulating dam. Hells Canyon typically follows the general daily load shape. The project is also operated for navigation, flood control, and anadromous fish protection. Operation is subject to the 1980 Hells Canyon Settlement Agreement concerning anadromous fish mitigation.¹¹

4.0 CUMULATIVE ENVIRONMENTAL ISSUES

According to the Council on Environmental Quality's Regulations for implementing NEPA (50 CFR §1508.7), an action may cause cumulative impacts on the environment if its impacts overlap in space and/or time with the impacts of other past, present, and reasonably foreseeable future actions, regardless of what agency or person undertakes such other actions. Cumulative effects can result from individually minor but collectively significant actions taking place over a period of time, including hydropower and other land and water development activities.

Site-specific analyses have the potential to overlook the big picture. For some resources, it may be necessary to look at more than one Idaho Power project or other actions in the basin to understand the relationship between unrelated actions or to develop a comprehensive solution to an existing resource problem. Examples that illustrate the importance of a cumulative look are presented in the box below.

Evaluating cumulative impacts is an iterative process. Issues will be refined based on preliminary analyses and new information. Further workshops will be needed to better develop issues and analyses.

¹¹ Order approving uncontested offer of settlement, February 27, 1980, 10 FERC ¶ 61,190.

BENEFITS OF CUMULATIVE LOOK

Comprehensive solution--In some cases a solution to a resource problem may depend on more than one project. For example, the need for fish passage at an upstream dam may be contingent upon passage at a downstream dam; creation of a multi-day boating trip may require facilities at more than one project; and wildlife enhancement at more than one project may be more effective if lumped together into one larger parcel.

Additive effects--Multiple activities can affect common resources. Adding the impacts or enhancement measures can give an idea of how the activities collectively impact a resource or contribute to meeting management goals for that resource.

Interactions between actions--It is important to look at the interactions of actions. For example, changes in flow at upstream projects may have positive or negative effects at lower projects; and improvement in water quality at upstream projects may eliminate the need for improvement measures at downstream projects.

Tradeoffs--There may be multiple solutions to issues in a basin. A cumulative look can aid in reaching the most effective solution to a resource issue in the basin. For example, a need for one recreational access point may be more cost-effective or desirable at a particular project rather than at any of the other projects.

4.1 Description of the Snake River Basin

The Snake River, the largest tributary of the Columbia River, flows over 1,000 miles from its origin in Yellowstone National Park (elevation 9,840 feet msl) to its confluence with the Columbia River (elevation 340 feet msl). The Snake River flows through much of Idaho and parts of Wyoming, Utah, Nevada, Oregon, and Washington (figure 2). The river drains 109,000 square miles and transports an average of 37 million acre-feet of water each year.

4.2 Evaluating Cumulative Effects

4.2.1 Identifying Cumulatively Affected Resources

Resources are selected based on:

- Whether the resource has been cumulatively affected or is likely to be affected by multiple projects or other activities in the basin
- The economic, ecological, recreational, and *cultural* value of the resource
- The national, regional, or local significance of the resource
- The degree of agency/public concern
- Basin-wide management plans

The goal is to narrow the scope by eliminating resources that are not relevant to the proposed actions or the eventual licensing decisions or if issues can be adequately addressed at the project-specific level (i.e., no need for a multi-project or comprehensive solution is needed). Resources are also eliminated if the potential cumulative effects or benefits are likely to be inconsequential.

The resources we selected to be included in a cumulative analysis are found in section 4.3.

4.2.2 Determining Geographic Scope

The geographic scope defines the physical limits or boundaries of the proposed actions' effects (positive and negative) on a resource. The scope will be based on how the projects interact with, affect, or are affected by other hydropower and non-hydropower activities in the basin. If the scope is too narrow, opportunities for resource mitigation or enhancement or the status or importance of the resource can be missed; if the scope is too broad, licensing decisions can be confounded by impact issues beyond the Commission's control. Not every resource will have the same geographic scope or emphasis.

Our analysis will generally focus on the mainstem Snake River roughly from Milner dam to the confluence with the Lower Granite reservoir ("affected reach") because:

- The reach physically includes the area of the eight Idaho Power relicense projects
- The reach includes the zone of effect of the eight projects, including the downstream effects of storage at the Hells Canyon Project
- This is the segment where the Commission, through its licensing authority, can actually do something
- Flows below Milner dam are typically reduced to about 200 cfs and are replenished downstream as a result of significant spring flows, irrigation return flows, and tributary inflow¹²

We will also be looking at upstream and downstream activities, but in less detail. For example, the effect of existing and future upstream flow regulation, both diversions and storage, on flow-dependent resources (water quality, fish habitat, riparian habitat, etc.) in the affected reach will be considered. Where necessary to understand the context of the resource

¹² The 1993 Idaho State Comprehensive Water Plan recognizes that the exercise of water rights above Milner dam has and may reduce flow at the dam to 0 cfs.

in the basin, the discussion of historic impacts will be broader (e.g., the discussion of the loss of riparian habitat will include the entire basin *and the loss of or blockage of access to fish habitats of key species, including white sturgeon, salmon, and steelhead, will extend to the Snake River tributaries to the extent of the particular species' historical range*).

For anadromous fish, the downstream scope will be *extended to the mouth of the Snake River*, to include efforts to improve salmon passage at the Corps of Engineer's lower Snake River projects.

One resource will have more localized scope:

Mollusc habitat--the area of examination will encompass the Snake River Basin from Banbury Springs to *Grandview*. This scope corresponds to the scope of the U.S. Fish and Wildlife Service recovery plan.

4.2.3 Determining Temporal Scope

The temporal scope defines the time limits or boundaries that will be considered in the analysis and will include past, present, and future actions and their effects on each resource that could be cumulatively affected. We will look at past impacts that have occurred to the degree that information is available and necessary in establishing the value or uniqueness of the resource. Is the resource increasing, decreasing, or stable? Is pre-project information needed to understand the continuing impacts on a resource and establish reasonable mitigation and enhancement measures? To determine how far to look in the future, we evaluate how long project-specific effects will last and time frames for future reasonably foreseeable actions.

For the purposes of our analysis, the temporal scope will look about 45 years into the future (through a potential 30-year new license term for the Swan Falls Project), concentrating on the effect on the resources from these reasonably foreseeable future actions.

4.2.4 Determining Actions to Include in the Analysis

Past and ongoing actions in the basin include: construction of dams and reservoirs for hydropower, irrigation, and flood control; irrigation, industrial, and municipal water diversions and discharges; agricultural development; grazing; logging; aquaculture; and recreational development (see appendix C).

Past activities that have affected or will likely affect the cumulative resource of concern will be incorporated into the analysis. Understanding past actions and their effects on resources can be important to understanding the consequences of future actions. The effects of past and present activities are reflected in the existing environment and provide a context for determining the value and importance of the resource and the potential for cumulative impacts.

For future actions, we will look at those actions that will potentially affect the cumulative resources and that are within the selected geographic boundary or time frames. Speculative or undefined future actions will be excluded.

A description of ongoing and future activities within the Snake River Basin is found in appendix C. The primary future actions that could potentially affect the relicensing of the Idaho Power Projects include:

- BR's Snake River Resources Review
- National Marine Fisheries Service's (NMFS's) Biological Opinion on Operation of the Federal Power System and future opinions
- NMFS's proposed recovery plan for Snake River salmon
- Northwest Power Planning Council's Columbia River Basin Fish and Wildlife Program
- FS's and BLM's Interior Columbia Basin Ecosystem Management Project
- Idaho's total daily maximum load plans for the middle Snake River

A list of plans on file with the Commission is found in appendix D.

4.3 Cumulative Effects Resources/Issues

The key cumulative effects issues for the Snake River basin are summarized in table 2.

Based on our preliminary review of Idaho Power's license applications, comments received from agencies and other interested groups, input from the Snake River Relicensing Collaborative Team's resource work groups, and preliminary staff analysis, we've tentatively identified the resources/issues listed below as being potentially cumulatively affected (positively or negatively) by the Idaho Power relicense projects in combination with other hydropower and non-hydropower activities in the Snake River Basin. *Based on the criteria outlined in figure 8, we refined the list of resources and issues (described below) that will be included in our cumulative analysis.*

For each resource, we discuss the specific cumulative resource issues involved and the relationship to the Idaho Power relicenses. *All the issues described below, with the exception of the anadromous fish issue, will be evaluated as part of the EIS for the first four projects. Anadromous fish and MacFarlane's four-o'clock will be deferred until future environmental documents.*

Issues	Cause	Resources Affected	Effects
Degradation of water quality	flow modifications, agricultural development, urbanization, hydroelectric development, industrial development, impoundments, municipal waste, flood control, mining, forestry, aquaculture, habitat conversion	anadromous fish, native resident fish (<i>includes white sturgeon, bull trout, and redband trout</i>), listed snails, benthic invertebrates, amphibians, bald eagle, aquatic furbearers, aquatic birds, contact recreation, aesthetics	reduced habitat quality; nuisance aquatic plant growth; reduced visual quality and recreational experience
Flow modification (timing and volume)	timing: hydroelectric development, flow augmentation, flood control, dam operations, irrigation (diversions, pumping, and return flows) volume: hydroelectric development, irrigation, municipal water consumption, agricultural development, aquaculture, mining, impoundments	anadromous fish spawning and rearing habitat, native resident fish (<i>includes white sturgeon, bull trout, and redband trout</i>), listed snails, riparian vegetation, riparian vegetation, recreational use, aesthetics, cultural resources	habitat loss; unsuitable water temperature; alteration of sediment transport, resulting in the loss of spawning habitat and loss of sand and gravel bar recruitment; and <i>diminished aesthetic quality</i>
Aquatic habitat loss, alteration, and fragmentation	habitat loss: channelization, levee construction, irrigation, impoundments, mining, logging, removal of riparian vegetation, road construction, clearing of stream channels, irrigation return waters, urbanization fragmentation: creation of barriers (dams, water quality barriers)	anadromous fish, native resident fish (<i>includes white sturgeon, bull trout, and redband trout</i>), listed snails, riparian vegetation	direct habitat loss: loss of habitat for spawning, rearing, and migration resulting from reduced water velocities; accumulation of sediments; poor water quality; loss of wetlands and riparian vegetation; increased competition from exotic species fragmentation: genetic isolation, isolation from critical life stage habitats, loss of metapopulation structure, increased susceptibility to local extinctions or extirpation

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Issues	Cause	Resources Affected	Effects
Loss of anadromous ecosystem	hydroelectric development, irrigation, flood control, and other factors	juvenile anadromous salmonids, other resident fish species, black bear, aquatic furbearers, eagles, insects, aquatic plants, riparian plants	loss of nutrient source for fish and invertebrates and wildlife food supply provided by salmon carcasses
Riparian/wetland habitat loss, alteration, and fragmentation	irrigation/water diversions, urbanization, hydroelectric power generation, industrial development, impoundments, flood control, mining, habitat conversion, grazing, recreational use	anadromous and resident fish, native/rare plant communities, seeps, springs, island habitats, bald eagles, aquatic furbearers, birds, insects, big game thermal cover, neotropical migrants	habitat loss: declines in abundance of wetland and riparian habitats, noxious weed infestations, decreased biodiversity and productivity fragmentation: isolation from critical life stage habitats, loss of metapopulation structure, increased susceptibility to local extinctions or extirpation, decreased biodiversity and productivity
Native grassland and shrubland loss, alteration, and fragmentation	agricultural development, industrial development, impoundments, mining, habitat conversion, grazing, roads, transmission lines, recreational use	native/rare plant communities, big game foraging and wintering habitat, birds, and small mammal habitat	habitat loss: declines in abundance of upland habitats and associated wildlife species, noxious weed infestations, decreased biodiversity and productivity fragmentation: isolation from critical life stage habitats, loss of metapopulation structure, increased susceptibility to local extinctions or extirpation, decreased biodiversity and productivity

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* Based on input from the Snake River Relicensing Collaborative's Resource Work Groups.

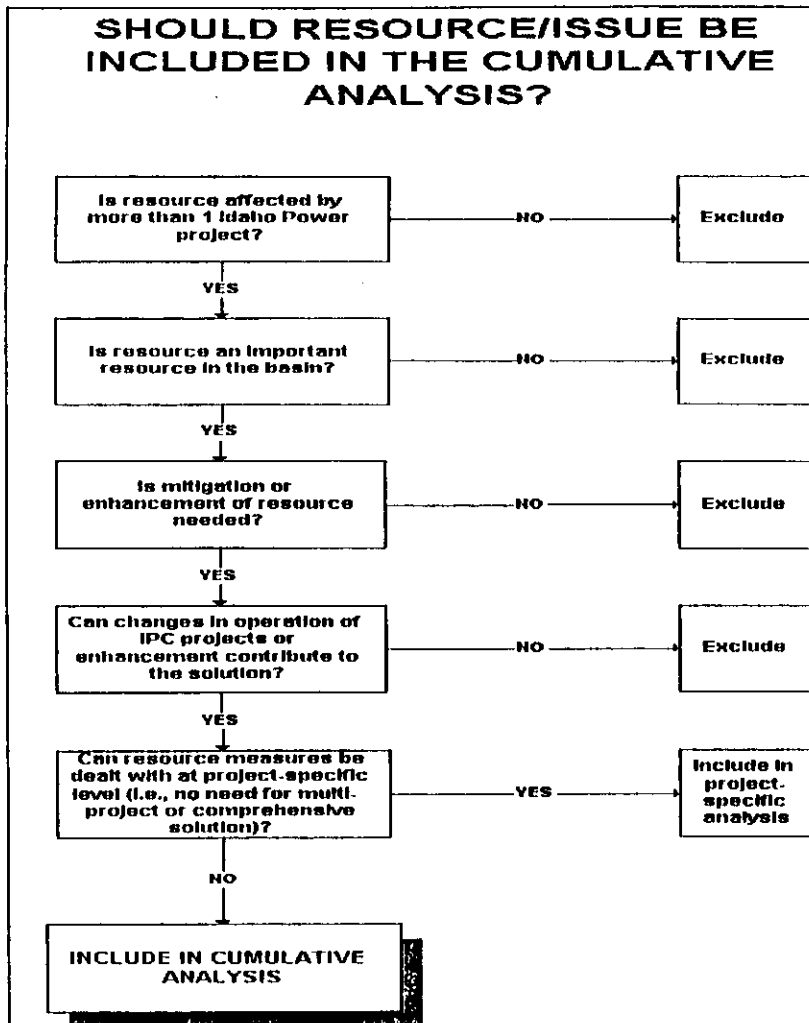


Figure 8. Steps in determining whether to include resources or issues in the cumulative analysis.

4.3.1 Water Quality

- Effects of degraded water quality (*including macrophyte growth*) on fish, snails, aquatic dependant wildlife, aesthetics, and recreation
- How the Idaho Power *projects' effects on flow timing and volume* contribute to water quality problems (dissolved oxygen, heavy metals and toxic sediment, nutrients, temperature, *total dissolved gases*) in the basin
- How the Idaho Power projects could be operated in combination with other actions in the basin to help meet water quality goals for fish habitat, snail habitat, aesthetics, and recreational use and opportunities
- How operation of the Idaho Power projects could be coordinated with future actions, such as the Middle Snake River Watershed Management Plan and future flow augmentation, to improve water quality or increase flows in the basin

4.3.2 Sediment Transport

- *How the Idaho Power projects' effects on flow timing and volume contribute to erosion and sediment deposition and the associated effects on fish habitat, stream bank integrity, island, sand bar and beach formation/loss, cultural resources, and fossil deposits*

4.3.3 Resident Fish (white sturgeon, Shoshone sculpin, rainbow trout, bull trout, and redband trout)

- How resident fish are affected by: barriers to upstream and downstream migration (*including habitat fragmentation effects*); project peaking flows and ramping rates; fish entrainment and turbine related mortalities; and water quality
- What measures are needed to protect and enhance resident fish populations (passage, flows, etc.)
- The effects of future changes in the timing and quantity of flow in the basin on resident fish

4.3.4 Anadromous Fish (spring/summer and fall chinook salmon, sockeye salmon, steelhead, and lamprey)¹¹

- How the Hells Canyon, Swan Falls, and C.J. Strike Projects could be operated to enhance flows (timing, quantity) for anadromous fish habitat in the Snake River Basin above and below Hells Canyon Dam and for salmon migration
- What factors are preventing the restoration of anadromous fish upstream of Hells Canyon dam (habitat and food availability, water quality, passage, etc.), is upstream restoration feasible, and what measures are necessary at Idaho Power projects (upstream and downstream passage, habitat improvements, flows, etc.) in combination with other measures in the basin, to allow the restoration of anadromous fish
- How the Idaho Power hatchery program would contribute to the efforts to restore anadromous fish in the basin and what modifications may be needed
- How anadromous fish restoration would affect other resources (resident fish, wildlife, insects, and riparian and aquatic plants)
- How operation of Idaho Power Projects could be coordinated with other actions in the basin to provide flows for anadromous fish and improve passage at downstream dams

4.3.5 Federally Listed Aquatic Molluscs (the endangered Idaho springsnail, Utah valvata snail, Snake River physa snail, and Danbury Springs fanx, and the threatened Bliss Rapids snail)

- The effects of instream flows, water quality, and sediment transport on the quality and quantity of aquatic mollusc habitat.
- What changes in operation of the Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects are needed to protect and enhance mollusc habitat
- How operation of the Idaho Power Projects could be coordinated with other actions in the basin, such as the Snake River Aquatic Species Recovery Plan

¹¹ As previously discussed, anadromous fish won't be discussed in detail in the EIS for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects, but will be addressed in subsequent environmental documents.

4.3.6 Riparian/Wetland Habitat

- How the Idaho Power projects interact with other activities in the basin to reduce and alter riparian/wetland habitat, seeps, and springs
- The effects of altered flows and reduced and fragmented riparian/wetland habitat on abundance and connectivity of native/rare plant communities, aquatic furbearer habitat, waterfowl nesting cover, thermal cover for big game, and habitat for neotropical migrants and other birds
- The effects of altered flow and reduced and fragmented riparian/wetland habitat on noxious weed infestation
- The effects of future changes in the timing and quantity of flow in the basin on riparian/wetland habitat and the effects on riparian/wetland associated wildlife
- What measures are needed to protect and enhance riparian/wetland habitat

4.3.7 Terrestrial Threatened and Endangered Species

- The effects of altered flows and other activities in the basin on *germination and survival of native cottonwood trees, which are important sources of nest, perch, and roost sites for bald eagles*
- *The effects of icing that results from altered flows and impounded conditions at the reservoirs on available foraging habitat for bald eagles*
- *The effects of human disturbances, including changes in human access patterns and types of human activities associated with the project impoundments, transmission line maintenance, road use, and recreation, on bald eagles, peregrine falcons, and MacFarlane's four-o'clock¹⁴*
- *The secondary effects of project operations (i.e., water quality, fish resources, and avian prey) on forage bases of the bald eagle and peregrine falcon*

¹⁴ As previously discussed, MacFarlane's four-o'clock won't be discussed in detail in the EIS for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects, but will be addressed in the Hells Canyon EIS.

4.3.8 Native Grasslands and Shrublands

- How the Idaho Power projects interact with other activities in the basin to reduce and alter native grassland and shrublands
- The effects of reduced and fragmented native grassland and shrubland habitat on abundance and connectivity of native/rare plant communities, big game winter range and forage, and habitat for birds and small mammals
- How Idaho Power land management practices and policies interact with other basin-wide activities to affect noxious weed infestation in native grassland and shrubland habitats

4.3.9 Recreational Use Patterns

- How changes in reservoir management and flow changes for anadromous fish and other resources could affect recreational use patterns in the basin

4.3.10 Developmental Resources

- The additive effects of environmental enhancement measures on the economics of continuing to operate the projects *and the cost-effectiveness of operational changes designed for non-power benefits*
- How operational changes for environmental purposes affect other developmental purposes, such as flood control
- How changes at Idaho Power's projects, in combination with potential reductions in generation at other hydropower projects throughout the basin, could affect the power resources that serve the region, *and how these effects would affect consumers on a community, county, and Bureau of Economic Analysis area scale*

4.3.11 Air Quality

- Additive effects of reduced generation at the Idaho Power projects on the need for additional alternative sources of generation and the resulting increases in emissions of air pollutants *in the Snake River Basin and, specifically, relative to Forest Service Class I Airsheds (associated with wilderness areas) and other National Forest System Lands*

5.0 PROJECT-SPECIFIC RESOURCE ISSUES

A preliminary list of resource issues and concerns that we have identified for analysis in an EIS is presented below. Those issues identified by an asterisk (*) will be analyzed for cumulative impact, as well as project-specific effects. In analyzing the issues, we will evaluate various measures to mitigate, protect, or enhance the resources. This list is not intended to be exhaustive or final, but is an initial listing of issues that have been raised and could be potentially significant. For convenience, the issues have been grouped by resource categories.

5.1 Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects

We have determined that there are no issues dealing with geology and soils, given the minimal amount of soil disturbance associated with relicensing these projects.

5.1.1 Water Quality

- * Effects of the projects' operations on water temperature, dissolved oxygen, nutrient levels, *and sediment transport*
- * *Effects of the projects' operations on algal production and the distribution of nuisance plants and their associated effects on water quality*

5.1.2 Aquatic Resources

- * *Effects of project operations on aquatic invertebrates in riverine and reservoir sections*
- * Effects of entrainment and turbine mortality on white sturgeon and other resident fish at the three projects
- * Effects of the project dams on the movement of migratory and non-migratory fish species
- Effects of project-induced water level fluctuations from load-following operations on habitat for aquatic resources in the project reservoirs and downstream of each project
- Effects of instream flows on the quantity and quality of aquatic habitat for fish and other aquatic resources in the Dolman Rapids *and North Channel* bypassed reaches of the Upper Salmon Falls Project and downstream of the *Lower Salmon Falls and Bliss* Projects

- Effects of project facilities and operations on the deposition of fine sediments in impounded areas as it relates to fish spawning habitat
- * Effects of project facilities and operations on the supply of and transport of spawning gravel downstream of the project dams
- * *What measures are needed to address the future passage of anadromous fish in the project areas*
- *Whether monitoring is necessary to determine the effects of protection, mitigation, and enhancement measures on fishery resources*
- *Effect of the Bliss Project on the Elmore County Wildlife Club fish-rearing pond*

5.1.3 Terrestrial Resources

- * Effects of project-induced water level fluctuations from load-following operations on riparian and wetland vegetation, both in the impounded and unimpounded areas
 - Do project operations favor the establishment of Russian olive and other non-native species in the riparian zone?
 - How do project-related changes in flow regimes affect regeneration of riparian tree species, specifically cottonwoods?
 - Whether project operations should be modified to benefit riparian habitat structure and function?
- * Whether modifications should be made to Idaho Power's current grazing policies to benefit riparian resources on project lands
- *Effects of project operation and maintenance (e.g. road use and transmission line corridor maintenance) on rare plants and rare plant communities.*
- *Effects of project operation and maintenance on key wildlife species*
- * Adequacy of proposed protection and enhancement measures, including noxious weed control, and whether additional enhancement measures are necessary to benefit upland, riparian, wetland, and spring habitats and the wildlife inhabiting these habitats

- Adequacy of proposed measures to protect rare plants (chatterbox orchid, Torrey's blazingstar) and rare plant communities (water birch, hackberry)

5.1.4 Threatened and Endangered Species

- * Direct and indirect effects of fluctuating water levels from the projects' load following operations on the federally listed aquatic molluscs: the endangered Idaho springsnail (*Pyrgulopsis idahoensis*), Utah valvata snail (*Valvata utahensis*), Snake River physa snail (*Physa natricina*), and Banbury Springs laux (undescribed *Laux*), and the threatened Bliss Rapids snail (*Taylor concha serpticola*)
- * Effects of instream flows and sediment transport on the quality and quantity of aquatic habitat for federally listed molluscs
- * *Direct and indirect effects of project operation and maintenance (including fluctuating water levels from the projects' load-following operations, transmission line maintenance, and road use) on the federally threatened bald eagle and endangered peregrine falcon*

5.1.5 Aesthetic Resources¹⁵

- Effect on visual resources from Idaho Power's grazing policies for project lands owned by Idaho Power
- Effect of water level fluctuations caused by project operations on the aesthetics of the Bliss, Lower Salmon Falls, and Upper Salmon Falls reservoirs, including shoreline sloughing
- Visual impacts of the Lower Salmon Falls Project facilities and operations as viewed from recreation areas and the Hagerman Fossil Beds National Monument, particularly the proposed visitor center, overlooks, and trails
- Visual impacts of the Upper Salmon Falls Project facilities and operations as viewed from Hagerman Fossil Beds National Monument, particularly the overlooks and trails

¹⁵ The issues "Visual impacts of the Upper Salmon Falls Project facilities and operations as viewed from the picnic area at powerhouse A" and "Visual impacts of the Bliss Project facilities and operations as viewed from recreation sites" were deleted based on discussions at the July 17, 1997, scoping meeting.

- Effect of the flow regime on the aesthetic characteristics of the Upper Salmon Falls Project's bypassed reach

5.1.6 Cultural Resources

- Effects of the projects on archeological and historic sites and what measures are necessary to comply with the National Historic Preservation Act

5.1.7 Recreation and Land Use¹⁶

- Whether Idaho Power should develop a float boat put-in directly downstream of Bliss dam
- *Whether Idaho Power should develop a river access site for recreational boating at the Bancroft Springs area*
- Whether a new take-out site for whitewater boaters on the popular Hagerman (Wiley) Reach of the Snake River is needed as a result of the 1993 Wiley landslide
- * Effects of fluctuating water levels from the projects' load following operations on the erosion of fossils at the Hagerman Fossil Beds National Monument
- Whether Idaho Power should participate in any efforts to establish a recreational trail along the Snake River, and if so, how
- Whether Idaho Power should provide monetary assistance (\$5,000 per year) to the NPS, as proposed, to enhance environmental education and research at the Hagerman Fossil Beds National Monument
- Whether the Dolman Island/Falls area should be granted a "protected" land use designation under Idaho Power's land management plan, as recommended by Idaho Power

5.1.8 Developmental Resources

Some of the proposed environmental enhancement measures would change how the projects are operated, thereby reducing the value of the projects for electric power production. Other measures would require direct expenditures by Idaho Power, increasing the cost of

¹⁶ The issue "Effects of fluctuating water levels from the projects' load following operations on boating and fishing on the reservoirs and in the reaches downstream of the projects" was deleted based on discussion at the July 17, 1997, scoping meeting.

operation and decreasing the cost advantage of the projects compared to other sources of power that could be used to meet the electricity needs of Idaho Power's customers. In the EIS, we would consider how the following would affect project generation or cost:

- Effects of providing minimum continuous flows in the Dolman Rapids reach and downstream of project dams on project generation and the value of project power
- Effects of reducing reservoir water surface fluctuations on load following capabilities and the value of project power
- Effects of funding various studies or providing additional protection and enhancement measures on the cost of project power

5.2 Shoshone Falls Project

5.2.1 Water Quality

- * Effects of the project's *operation* on water temperature, dissolved oxygen, gas supersaturation, and nutrient levels

5.2.2 Aquatic Resources

- * Effects of the project (water temperature, total dissolved gas levels) on downstream white sturgeon populations between Shoshone Falls and Upper Salmon Falls Projects
- Effects of the project on reservoir fishes and the desirability of stocking the reservoir with trout or other species

5.2.3 Terrestrial Resources

- * Adequacy of proposed protection and enhancement measures and whether additional enhancement measures are necessary to benefit riparian resources and spring habitats and the wildlife inhabiting these habitats

5.2.4 Aesthetic Resources

- Effects of the project's flow regime on the aesthetic characteristics of Shoshone Falls and what flows are necessary to adequately enhance the visual quality of the falls

- Visual impacts of the project facilities (dam structures, powerhouse, substation, and transmission lines) as seen from the existing and proposed recreation sites, particularly the overlooks

5.2.5 Cultural Resources

- Effects of the project on the historic and cultural resources and what measures are necessary to avoid, minimize, and compensate for adverse effects

5.2.6 Recreation and Land Use

- Effects of the project on the recreation and land use resources and what measures are necessary to avoid, minimize, and compensate for adverse effects
- A description of the project impacts on recreation and land use resources

5.2.7 Socioeconomics

- Effects of the existing, proposed, and other alternative flow regimes over Shoshone Falls on visitation, the local economy, and tax revenues to local governments

5.2.8 Developmental Resources

- Effects of funding various studies or providing additional protection and enhancement measures on the cost of project power

6.0 SCHEDULE

The short-term schedule for initial processing of the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects and completing scoping is provided below. The long-term schedule will be developed after we finalize the cumulative effects approach (see appendix A).

SCHEDULE		
Milestone	Target Date	
	Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects	Shoshone Falls Project
Applications filed	December 20, 1995	May 29, 1997

Notice requesting additional study requests (ASR's)	January 4, 1996 (due 2/20/96)	June 13, 1997 (due 7/28/97)
Applications accepted	June 7, 1996	October 16, 1997
Notice requesting interventions	June 24, 1996 (due 8/29/96)	October 21, 1997 (due 12/18/97)
Scoping document 1 issued	June 5, 1997 (comments due August 18, 1997)	
Scoping meetings/site visits	July 16-18, 1997	
Scoping document 2 issued	December 1997	
ASR's addressed	January 1998	
Additional information request issued	January 1997 (due 1/99)	
DEIS	Summer/Fall 1999	
FEIS	Spring 2000	

6.0 DRAFT EIS OUTLINE

The tentative outline for the EIS for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects is as follows:

COVER SHEET FOREWORD TABLE OF CONTENTS EXECUTIVE SUMMARY

1. PURPOSE OF ACTIONS AND NEED FOR POWER
 - 1.1 Purpose of Actions
 - 1.2 Need for Power
 - 1.3 Scope of Environmental Impact Statement
 - 1.3.1 Cumulative Effects
 - 1.3.1.1 Geographic Scope
 - 1.3.1.2 Temporal Scope
2. PROPOSED ACTIONS AND ALTERNATIVES
 - 2.1 Idaho Power Company's Proposals
 - 2.1.1 Bliss Project
 - 2.1.1.1 Project Facilities
 - 2.1.1.2 Project Operations
 - 2.1.2 Lower Salmon Falls Project
 - 2.1.2.1 Project Facilities
 - 2.1.2.2 Project Operations
 - 2.1.3 Upper Salmon Falls Project
 - 2.1.3.1 Project Facilities
 - 2.1.3.2 Project Operations

- 2.1.4 *Shoshone Falls Project*
 - 2.1.4.1 *Project Facilities*
 - 2.1.4.2 *Project Operations*
- 2.1.5 *Proposed Environmental Measures*
- 2.1.6 *Mandatory Requirements*
- 2.2 *Staff's Modification of Idaho Power Company's Proposals*
- 2.3 *Project Retirement*
- 2.4 *No-Action Alternative*
- 2.5 *Alternatives Considered but Eliminated from Detailed Study*
- 3. **AFFECTED ENVIRONMENT**
 - 3.1 *General Description of the Project Area and the Snake River Basin*
 - 3.2 *Cumulatively Affected Resources*
 - 3.2.1 *Water Quality*
 - 3.2.2 *Sediment Transport*
 - 3.2.3 *Resident Fish*
 - 3.2.4 *Federally Listed Aquatic Molluscs*
 - 3.2.5 *Riparian/Wetland Habitat*
 - 3.3.6 *Bald Eagle/Peregrine Falcon*
 - 3.3.7 *Native Grasslands and Shrublands*
 - 3.3.8 *Recreational Use Patterns*
 - 3.3.9 *Developmental Resources*
 - 3.3.10 *Air Quality*
 - 3.3 *Description of Ongoing Activities in the Snake River Basin*
 - 3.4 *Planned and Future Activities in the Snake River Basin*
 - 3.5 *Project-specific Resources*
 - 3.5.1 *Water Quality and Quantity*
 - 3.5.2 *Aquatic Resources*
 - 3.5.3 *Terrestrial Resources*
 - 3.5.4 *Threatened and Endangered Species*
 - 3.5.5 *Aesthetic Resources*
 - 3.3.6 *Cultural Resources*
 - 3.3.7 *Recreation and Land Use*
 - 3.3.8 *Socioeconomics*
 - 3.6 *No-Action Alternative*
- 4. **ENVIRONMENTAL CONSEQUENCES**
 - 4.1 *Idaho Power Company's Proposals and Modifications to Idaho Power's Proposals*
 - 4.1.1 *Water Quality and Quantity*
 - 4.1.2 *Aquatic Resources*
 - 4.1.3 *Terrestrial Resources*
 - 4.1.4 *Threatened and Endangered Species*
 - 4.1.5 *Aesthetic Resources*
 - 4.1.6 *Cultural Resources*
 - 4.1.7 *Recreational and Land Use*
 - 4.1.8 *Socioeconomics*
 - 4.2 *Project Retirement*
 - 4.3 *No-action Alternative*
 - 4.4 *Unavoidable Adverse Impacts*
 - 4.5 *Irreversible and Irrecoverable Commitment of Resources*
 - 4.6 *Relationship Between Short-term Uses and Long-term Productivity*

- 5. **CUMULATIVE ANALYSIS**
 - 5.1 *Water Quality*
 - 5.2 *Sediment Transport*
 - 5.3 *Resident Fish*
 - 5.4 *Federally Listed Aquatic Molluscs*
 - 5.5 *Riparian/Wetland Habitat*
 - 5.6 *Bald Eagle/Peregrine Falcon*
 - 5.7 *Native Grasslands and Shrublands*
 - 5.8 *Recreational Use Patterns*
 - 5.9 *Developmental Resources*
 - 5.10 *Air Quality*
- 6. **DEVELOPMENTAL ANALYSIS**
- 7. **STAFF'S CONCLUSIONS**
 - 7.1 *Comprehensive Development and Recommended Alternatives*
 - 7.2 *Cumulative Effects Summary*
 - 7.3 *Fish and Wildlife Agency Recommendations*
 - 7.4 *Consistency with Comprehensive Plans*
 - 7.5 *Relationship to Laws and Policies*
 - 7.5.1 *Water Quality Certification*
 - 7.5.2 *Endangered Species Act*
 - 7.5.3 *Pacific Northwest Power Planning and Conservation Act*
 - 7.5.4 *National Historic Preservation Act*
 - 7.5.5 *Americans with Disabilities Act*
 - 7.5.6 *Other Laws and Policies*
- 8. **LITERATURE CITED**
- 9. **LIST OF PREPARERS**
- 10. **LIST OF RECIPIENTS**

7.0 DISTRIBUTION LIST

Copies of this scoping document were sent to agencies, organizations, and individuals on the service list, FERC mailing list for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects, and Snake River Relicensing Collaborative Team mailing list (see appendix E).

Description of Approaches

Evaluating cumulative effects of the Idaho Power projects in the Snake River Basin provides a challenge given that four applications have already been filed and applications for the remaining four projects will be filed during the next 12 years. In developing approaches for assessing cumulative impacts, the following factors must be considered--the timing of the expiration of the licenses, the geographic location of these projects, and the availability of data with which to conduct a cumulative impact assessment.

We describe four possible approaches below.

APPENDIX A

APPROACHES TO CUMULATIVE IMPACTS IN SNAKE RIVER BASIN revised June 1997

In December 1996, the staff prepared a discussion paper titled "Approaches to Cumulative Analysis for the Snake River Basin," outlining two possible approaches for evaluating the cumulative effects of relicensing the eight Idaho Power projects.¹ These and other approaches are discussed in detail later in this appendix.

The staff conducted a meeting in Boise, Idaho, on February 4, 1997, to solicit input from federal and state agencies, Indian tribes, non-governmental organizations, the licensee, and the public on the approaches. About 75 people attended the meeting.

At the meeting, representatives of the Snake River Relicensing Collaborative Team commented that they were unable to recommend a specific approach until the range of cumulative effect issues that needs to be addressed is known. They recommended the following steps before deciding on an approach:

- Conduct scoping for the cumulative effects analysis
- Scoping should be done as soon as possible, using the Collaborative Team work groups as technical advisors
- Identify cumulative effects issues for the Middle Snake projects (Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects)
- Develop the approach based on scoping

Idaho Power was hesitant to agree to a particular approach until they know the scope of the issues that may require reopeners.

Following the meeting, written comments were received from the following entities:

Entity	Date of Letter
Idaho Wildlife Federation	March 5, 1997
Oregon Department of Fish and Wildlife	March 5, 1997

¹ Copies of the discussion paper are available from Alan Mitchnick at (202) 219-2826.

These analyses would build upon or tier³ off the previous analyses. Additional resources that could be cumulatively affected would be evaluated as necessary and multi project issues would be expanded and updated. Ultimately, the series of analyses would represent a comprehensive evaluation of cumulative impacts of the Idaho Power relicense projects.

Approach B

This approach would involve the preparation of one basin-wide cumulative effects analysis for the area of effect of all the Idaho Power relicense projects before any project-specific assessments are begun. The cumulative analysis would also be used to determine the appropriate groupings for processing the individual projects and the assessment of cumulative impacts.

Wallowa County Court	March 5, 1997
Environmental Protection Agency	March 5, 1997
Shoshone-Bannock Tribes	March 5, 1997
Columbia Inter-Tribal Fish Commission	March 5, 1997
American River/Idaho Rivers United	March 5, 1997
Department of the Interior	March 5, 1997
Middle Snake Regional Water Resource Commission	March 5, 1997
Idaho Power Company	March 6, 1997
Idaho Department of Environmental Quality	March 6, 1997
Nez Perce Tribal Executive Committee	March 6, 1997
National Marine Fisheries Service	March 21, 1997

Summary of Comments Received on the Approaches

We've summarized the written comments below, followed by our response to the comments in *italics*.

General Comments

(1) Many commentors supported the collaborative teams recommendations.

We agree that scoping would provide a better information base on which to determine an approach. Accordingly, we will conduct scoping on both the project-specific issues associated with the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects and the basin-wide cumulative issues prior to deciding on the approach.

(2) Many of the commentors, although not endorsing a particular approach, liked the early assessment of the earlier filed applications under approach A and the comprehensive aspects of approach B. Most believed that the project-specific analysis of the first filed application could proceed concurrently with the cumulative analysis.

We developed an additional approach that takes into consideration many of the comments (see approach C below).

(3) American Rivers/Idaho Rivers United was the only commentor that provided an alternative approach for the Commission's consideration. They recommend that cumulative impacts be analyzed in a series of individual, stand-alone studies addressing specific resources. This approach is supported by Oregon Department of Fish and Wildlife.

We will further explore this approach (see approach D below).

(4) Many of the comments were based on incorrect understanding of the two approaches.

(4a) Many commented that they believed that the cumulative analysis under approach A would only look at cumulative effects of the projects being evaluated in multi- or single project documents and would ignore the effects of the later filed applications. Thus, they believe that the analysis is project based and not basin wide.

This is not the case. The cumulative analysis under approach A is basin wide.

basin (as in approach B), but, instead of waiting until the cumulative assessment is complete, we would concurrently prepare a project-specific, multi-project EIS for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects (as we would in approach A). Subsequent NEPA documents would tier off of the cumulative analysis. This approach allows us to move forward with the first four projects concurrently with a cumulative effects analysis.

Approach D

The following are selected excerpts from the American Rivers and Idaho Rivers United proposal.⁴

Cumulative impacts would be analyzed in a series of individual, stand-alone studies addressing specific resources that are or may be affected by cumulative impacts.

The individual cumulative impact studies would form the basis for the evaluation of cumulative impacts in each project-specific NEPA document. In other words, the project-specific NEPA documents would tier to or incorporate only relevant individual cumulative impact analyses. The cumulative impact study results, including proposed remedial/protective measures, would then be used to identify specific action alternatives and remedial/protective measures in the project-specific NEPA document.

Each cumulative impact analysis would be designed to identify the causes of resource degradation at a broad spatial scale and over time, and to identify remedial and protective measures to restore and conserve the resource. The studies would identify interactions between Idaho Power's dams and other human activities in the Basin that degrade resources and identify remedial and protective measures at the scale of the analysis (e.g., increase flows by a specified amount, provide passage to potential spawning habitat, restore riparian habitat). Project-specific measures (e.g., the identification of how to provide passage to habitat or how to manage flows at a specific dam) would be analyzed in the project-specific NEPA documents.

Scoping of cumulative impact studies should begin immediately, and studies commence as soon thereafter as possible. The project(s)-specific NEPA documents would go forward as scheduled. If a particular cumulative impacts analysis was not complete in time to prepare a project-specific NEPA document as scheduled, there would be two options. First, if the missing information could substantially alter the alternatives under consideration, the project-specific analyses and final licensing decision would be stayed, and annual licenses would be issued with interim mitigation. If the missing information would not substantially alter the alternatives, then a specific "reopener" would be included in the project license to allow for post-licensing modification.

Comparison of Approaches

The primary difference between approaches A and B is that approach A reviews

define that reserved authority as narrowly and with as much specificity as possible...

Reopeners create uncertainty for licensees and are not to be used as a substitute for reasoned decision-making. Environmental documents must contain sufficient information to evaluate the environmental and economic consequences of a project. Use of reopeners will not be feasible in all cases.

Conditioning Annual Licenses

project-specific as well as cumulative impacts from the beginning, while approach B focuses on basin-wide cumulative impacts before starting any project-specific documents. Mitigation and enhancement measures could be required at an earlier date under approach A than under approach B.

Approach C incorporates some of the points in approaches A and B. It would allow the project-specific analyses of the earlier filed applications to proceed simultaneously with preparation of a cumulative analysis for the basin.

Approach D is similar to approach C except it envisions separate studies for each resource instead of one document exploring all the cumulatively affected resources.

⁴ See the March 5, 1997, letter from Rob Masonis, American Rivers, 400 East Pine Street, Suite 225, Seattle, Washington 98122. A copy of the complete filing is available from the Commission.

APPENDIX B

SUMMARY OF ADDITIONAL STUDY REQUESTS Bliss (FERC No. 1975), Lower Salmon Falls (FERC No. 2061), Upper Salmon Falls (FERC No. 2777), and Shoshone Falls (FERC No. 2778) Projects			
#	Agency	Study Request	Cross ref.
Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects			
1	FWS	Stream habitat and flow studies related to white sturgeon	13, 22, 28, 36, 64
2	FWS	White sturgeon habitat needs	4, 13, 22- 24, 28, 30, 31, 60, 61, 64
3	FWS	Instream flow study downstream of Bliss dam	28, 32, 36, 64
4	FWS	Fish passage for salmon and steelhead and anadromous fish reintroduction feasibility study	2, 12, 23, 30, 35, 60, 66
5	FWS	Analysis of the effects of load following on fish and wildlife and their habitat from upper end of Upper Salmon Falls to upper end of C.J. Strike	8, 14, 22, 27, 28, 61
6	FWS	Sediment and nutrient dynamics	14, 20, 28, 29, 36, 54, 63, 64
7	FWS	Consideration of the Thousand Springs Project's effects on listed species and other terrestrial and aquatic fish and wildlife and their habitats	19, 51, 53
8	FWS	Effects of flow fluctuation on wildlife and their habitats	5, 27
9	FWS	Effects of project construction and operation on wildlife and their habitats--i.e. verification of HEP modeling results	
10	FWS	Habitat evaluation procedures study--effects in scrub-shrub habitat, and comparison of before and after conditions at Upper Salmon Falls	
11	FWS	Accurate valuation of proposed protection, mitigation, and enhancement plans for wildlife--i.e. accurate comparison of HUs lost to project construction to HUs gained from PM&B measures	26
12	FWS	Satisfaction of protection, mitigation, and enhancement needs--i.e. agreement on method to determine type and level of mitigation needed	4, 12, 36, 63-66
13	FWS	Cumulative effects study of serial impoundments on the Snake River on fish and wildlife species in all project areas due to be relicensed in foreseeable future	1, 2, 28, 52-62, 70
14	EPA	Detailed water quality and quantity description	5, 6, 20, 36, 63, 64

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SUMMARY OF ADDITIONAL STUDY REQUESTS Bliss (FERC No. 1975), Lower Salmon Falls (FERC No. 2061), Upper Salmon Falls (FERC No. 2777), and Shoshone Falls (FERC No. 2778) Projects			
#	Agency	Study Request	Cross ref.
15	ECWC	Determine fish stocking at Glenns Ferry to mitigate loss of rearing ponds	
16	IDPR	Hagerman reach river access take-out	19
17	IDPR	Bliss dam river access and recreation use survey below Bliss dam	47
18	IDPR	Suitability analysis of a river access site at Bancroft Springs	48
19	IDPR	Inclusion of the recreation and access facilities at Thousand Springs in the three project license area	7, 46, 51
20	IDEQ	Impacts on nutrient processing and sediment dynamics	6, 14, 29, 36, 54, 55, 63, 64
21	IDEQ	Explanation of water quality analysis methodology and additional data analysis on existing data to explain project impacts on water quality	
22	IDFG	Effects of load following on downstream biological communities--downstream of Lower Salmon Falls Dam and Bliss dam	1, 2, 5, 28, 61
23	IDFG	Improving passage for rainbow trout and white sturgeon	2, 4, 30, 60
24	IDFG	Preventing entrainment for white sturgeon	2, 31
25	IDFG	Detailed wildlife protection and enhancement plan for each parcel proposed by IPC	
26	IDFG	Evaluation of terrestrial habitat units gained through proposed mitigation	11
27	IDFG	Describe and quantify current and future load following operation and their effect on riparian vegetation and associated wildlife	5, 8, 37
28	AR/IRU	Biological effect of load following at Bliss and Lower Salmon Falls--effects on fish and invertebrate communities	1, 2, 3, 5, 6, 13, 22, 61
29	AR/IRU	Effects of flow regulation on sediment transport	6, 20, 36, 54, 63, 64
30	AR/IRU	Fish passage--need and feasibility of passage for white sturgeon, rainbow trout, and other species of interest	2, 4, 23, 60
31	AR/IRU	Fish entrainment	2, 24
32	AR/IRU	Bliss reach IFIM	3, 36, 64
33	AR/IRU	Limiting factors analysis in free-flowing reaches--determine factors limiting cold-water fish production and the role dams play	
34	AR/IRU	Aquatic habitat inventory (pre-project and current)	58

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SUMMARY OF ADDITIONAL STUDY REQUESTS Bliss (FERC No. 1975), Lower Salmon Falls (FERC No. 2061), Upper Salmon Falls (FERC No. 2777), and Shoshone Falls (FERC No. 2778) Projects			
#	Agency	Study Request	Cross ref.
35	AR/IRU	Anadromous fish reintroduction potential	4, 66
36	AR/IRU	Flow augmentation--need and options for additional flows to benefit aquatic systems	1, 3, 6 12, 14 20, 29, 32, 53, 54, 64
37	AR/IRU	Effects of flow regulation on riparian vegetation	5, 8, 27
38	AR/IRU	Site evaluations for wetland construction or restoration and riparian vegetation restoration	72
39	AR/IRU	Wildlife HEP along free-flowing reaches	
40	AR/IRU	Evaluation of opportunities for protecting spring habitats	
41	AR/IRU	Economic and power effects of eliminating load-following at Bliss and Lower Salmon Falls	
42	AR/IRU	Cost evaluation of proposed protection, mitigation, and enhancement measures	
43	AR/IRU	Aesthetic effects of Upper Salmon Falls, Lower Salmon Falls, and Bliss Projects	45
44	AR/IRU	Documentation of attempts to obtain historical records and information regarding pre-construction environmental conditions	
45	NPS	Aesthetic evaluation of the impacts of the three projects	43
46	NPS	Bliss Bridge/Hagerman reach boating access	16, 19
47	NPS	Boating access below Bliss dam	17
48	NPS	Public access to the Snake River across from Bancroft Springs	18
49	NPS	Bell Rapids access on the Lower Salmon Falls reservoir	
50	NPS	Multi-day boating trip potential for the Snake River	
51	NPS	Inclusion of the Thousand Springs Project and area--consider these resources in additional studies of recreation needs and opportunities	7, 19
52	CBFWA	Geomorphology--cumulative project effects on mainstem river geomorphology and resulting effects on ecological processes	13, 64
53	CBFWA	Hydrology--cumulative project effects on mainstem river flow regimes and resulting effects on ecological processes	7, 13, 36, 64
54	CBFWA	Sediment dynamics--cumulative project effects on mainstem river sediment recruitment and transport and resulting effects on biophysical processes	6, 13, 20, 29, 36, 63, 64

SUMMARY OF ADDITIONAL STUDY REQUESTS Bliss (FERC No. 1975), Lower Salmon Falls (FERC No. 2061), Upper Salmon Falls (FERC No. 2777), and Shoshone Falls (FERC No. 2778) Projects			
#	Agency	Study Request	Cross ref.
55	CBFWA	Water quality--cumulative project effects on mainstem river water quality and quantity and resulting effects on biophysical processes	13, 20, 59, 63, 64
56	CBFWA	Fish inventory--characterization of pre- and post-project fish resources and habitat in the mainstem river and cumulative project impacts on resources	13, 59, 64
57	CBFWA	Aquatic invertebrate inventory of the mainstem river from Milner to Lower Granite	13, 59, 64
58	CBFWA	Aquatic habitat inventory--assessment of pre- and post-project habitat conditions in mainstem river from Milner to Lower Granite	13, 34, 59, 64
59	CBFWA	Evaluation of trophic relationships of the mainstem river and adjacent riparian, wetlands, and uplands from Milner to Lower Granite	13, 55-58, 64
60	CBFWA	Fish passage--need and opportunities to provide fish passage at all projects between Hells Canyon and Shoshone Falls	2, 4, 13, 23, 30, 64
61	CBFWA	Assessment of water level fluctuation effects on aquatic species from Shoshone Falls dam to Hells Canyon and at the Malad projects	2, 5, 13, 22, 28, 64
62	CBFWA	Assessment of IPC's anadromous fish mitigation program	13
63	CBFWA	Water quality protection, mitigation, and enhancement--needs and opportunities on mainstem river from Milner to Lower Granite	6, 12, 14, 20, 29, 54, 55
64	CBFWA	Flow related protection, mitigation, and enhancement	1, 2, 3, 6, 12, 14, 20, 29, 32, 36, 52-60
65	CBFWA	Evaluation of options to shape releases from Brownlee reservoir and provide more water to meet instream targets in the lower Snake River	12
66	CBFWA	Anadromous fish reintroduction	4, 12, 35
67	CBFWA	Develop monitoring criteria for assessing ecological health--integrative monitoring protocol for evaluating PM&E measures and river's health	
68	CBFWA	Vegetation inventory, mapping, and assessment--pre- and current-project vegetation along mainstem river from Milner to Lower Granite	
69	CBFWA	Wildlife inventory of all IPC lands from Milner to Lower Granite	
70	CBFWA	Wildlife habitat inventory and assessment--pre- and current-project habitat conditions from Milner to Lower Granite	13
71	CBFWA	Identification and assessment of operation-related wildlife impacts	

Water Use

Dominant water uses in the Snake River Basin are:

- Irrigation diversions--occur throughout the basin; more than 14 million acre-feet of water is diverted by canals and pumps
- Hydropower diversions (non-consumptive)--occur throughout the basin, except the Salmon River Basin; the greatest diversions occur in the lower part of the basin
- Commercial, domestic, industrial, livestock, and private use--these uses combined make up about 5 percent of water use in the basin

Land Use

Major land uses in the Snake River include:

- Agriculture--about 85 percent of all irrigated agriculture in Idaho occurs in the Snake River plain, totaling over 3 million acres
- Livestock grazing--occurs primarily in the central part of the basin
- Logging--occurs primarily in the headwaters and Salmon River Basin
- Mining--occurs throughout the basin, but usually not in proximity to the mainstem of the Snake River.

The extent and location of agriculture, grazing, and logging can be seen to some degree from land cover/land use patterns (table C-3).

Other Actions

Other ongoing actions in the Snake River Basin include:

- Aquaculture--approximately 70 percent of the commercially produced trout in the United States are produced in the 60 to 70 hatcheries that use natural spring water from the north shore of the Snake River near Twin Falls.
- Agricultural runoff--occurs throughout the basin except in wilderness and mountainous areas
- Recreation--heavy recreational use occurs at the large reservoirs and lakes throughout the basin

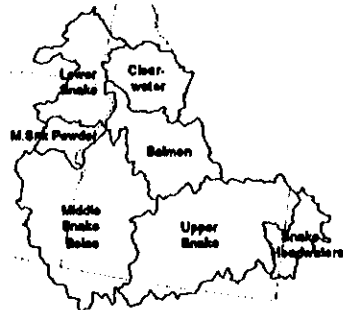
Table C-2. Storage facilities (greater than 100,000 acre-feet) located upstream of Hells Canyon dam.

Facility	Stream	Owner ¹	Storage Capacity (thousands of acre-feet)	Year Storage Began
Jackson Lake	Snake River	BR	847	1906
Palisades reservoir	Snake River	BR	1,400	1956
American Falls reservoir	Snake River	BR	1,700	1926
Lake Walcott	Snake River	BR	107	1906
C.J. Strike reservoir	Snake River	Idaho Power	250	1952
Brownlee reservoir	Snake River	Idaho Power	1,469	1958
Hells Canyon	Snake River	Idaho Power	176	1967
Island Park reservoir	Henry's Fork	BR	127	1938
Birch reservoir	Willow Creek	Corps	100	1975
Blackfoot reservoir	Blackfoot River	BIA	413	1910
Salmon Falls Creek reservoir	Salmon Falls Creek	Salmon River Canal Co.	182	1910
Magic reservoir	Big Wood River	Big Wood Canal Co.	191	1909
Lake Owyhee	Owyhee River	BR	1,122	1933
Anderson Ranch reservoir	South Fork Boise River	BR	464	1945
Arrowrock reservoir	Boise River	BR	286	1917
Lucky Peak Lake	Boise River	Corps	307	1954
Lake Lowell	Boise River	BR	177	1908
Warm Springs reservoir	Maiheur River	BR	190	1919
Cascade reservoir	North Fork Payette River	BR	703	1947
Deadwood reservoir	Deadwood River	BR	160	1930

BIA = Bureau of Indian Affairs; BR = Bureau of Reclamation; Corps = U.S. Army Corps of Engineers; Idaho Power = Idaho Power Company.

Table C-3. Dominant land uses in the Snake River Basin, by geographic region.

Land use	Geographic region						
	Headwaters Snake	Upper Snake	Middle Snake-Bolse River	Middle Snake-Powder River	Lower Snake	Salmon River	Clearwater River
agriculture (%)	4.9	31.6	14.6	27.4	50.3	15.8	16.8
range (%)	3.3	48.3	62.2	29.9	20.2	16.5	0.3
forest (%)	86.8	18.1	20.1	41.8	28.1	62.4	82.2



C.2 Planned and Future Actions in the Snake River Basin

Various management plans are being developed that may affect the resources of the Snake River. Of particular importance are plans to secure additional flows from the upper Snake River Basin to improve downstream salmon passage, future plans to restore anadromous fish upstream of Hells Canyon, measures to recover federally listed aquatic snail species, plans to improve water quality in the middle Snake River, plans for groundwater recharge in the Hagerman Valley area, growth of irrigated agriculture in the basin, and the results of ongoing water adjudications in the basin. A preliminary list of management plans, recommendation documents, and potential future actions is found in appendix D. Some of the primary actions in terms of their potential effect on the Idaho Power project areas and other FERC projects are described below.

Primary Basin-wide Actions

Snake River Resources Review--BR is preparing a comprehensive review of the operation of its projects upstream of the Idaho Power projects. Their goal is to develop a single model to guide project operation and enable better management of water and related resources in the Snake River Basin. The review began in 1995 and is expected to be completed in 2000. Any changes in upstream BR projects, such as increased flows, would likely have an effect on the river reaches affected by the Idaho Power relicenses.

NMFS Proposed Recovery Plan for Snake River Salmon--General tasks that could interact with the Idaho Power projects include: providing adequate instream flows to rebuild salmon populations; reducing loss of juvenile fish through flow augmentation and improved water management; reducing loss of listed species associated with poor water quality; and restoring chinook salmon by introducing them into historic habitat (one element of the plan concerns the feasibility of reintroducing Snake River fall chinook into native habitat upstream of the Hells Canyon Complex).

NMFS Biological Opinion (BO)--The BO for the federal Columbia River power system calls for BR to secure additional water for flow augmentation after 1998 as may be necessary to further reduce human-caused mortality of endangered salmon in the Snake River. A new BO, which will be issued in 1999, could include a different set of reasonable and prudent measures.

Northwest Power Planning Council's Columbia River Basin Fish and Wildlife Program--The program calls for, among other things, an additional 1,000,000 acre-feet of storage for juvenile salmon migration from the Snake River Basin.

Interior Columbia Basin Ecosystem Management Project--FS and BLM are developing an ecosystem-based strategy for management of lands under their jurisdiction in the Upper Columbia River Basin in Idaho, Montana, Utah, Nevada, Wyoming, and parts of Washington. The strategy will focus on ecosystem health, including its forest, rangeland, and aquatic/riparian, landscape and social/economic components, with emphasis on population viability and sustainability of threatened, endangered, and sensitive species. The draft EIS is due to be issued in 1997. The Idaho Power relicenses affect both FS and BLM lands.

Total Daily Maximum Load (TDML) Plans for the mid-Snake River--TDML plans are required for water quality limited reaches. Phase I plans involve total phosphorous; subsequent plans will consider, among others, sediment and nitrogen reduction. These plans have the potential to significantly improve water quality in the section of the Snake River between Milner dam and King Hill, Idaho, which includes five of the Idaho Power relicenses.

FERC Projects in Snake River Basin

Environmental protection measures that have been proposed for the Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects (see sections 3.1.3 and 3.2.3) and additional potential measures for these four projects along with the other four Idaho Power projects up for relicensing (table 1), should enhance many of the resources that have been cumulatively affected in the basin.

In addition to the eight Idaho Power projects up for relicense, there are other potential new hydropower development and other relicensing activity in the basin. There are four applications for license involving new construction pending before the Commission (table C-4). Four existing licenses expire between 1996 and 2010 (table C-5). Further, the Auger Falls Project (FERC No. 4797)¹ was licensed in 1991, but construction has not yet begun.

Table C-4. Pending applications for new hydropower construction in the Snake River Basin.

Project Name	Project No.	Location	Status	Comments
Sahko	11060	near Filer, Idaho	scoping completed; awaiting additional information	on existing irrigation ditch
Shelley	5090	Snake River, downstream of Idaho Falls, Idaho	Commission order denying license issued September 1997	25-foot-high, 300-foot-long dam across Snake River; 2.7-mile-long reservoir
Dworshak Small Hydro	10819	North Fork Clearwater River, near Orofino, Idaho	final EA issued June 1997	at water intake for Dworshak fish hatchery
Swift Creek	1651	Salt River Basin, Utah	final EA issued; awaiting Commission decision	existing project inoperable due to avalanche; proposal to repair and increase capacity

¹ The Auger Falls Project would involve the construction of an 18-foot-high, 340-foot-long dam across the Snake River, about 0.25 mile downstream from Twin Falls, Idaho, and would have a generating capacity of 43.6 MW.

Table C-5. Hydropower licenses in the Snake River Basin that expire between 1996 and 2010, in addition to the Idaho Power projects.

Project name	Project no.	Location	Licensee	Capacity (kW)	Expiration year
Rock Creek	1986	Rock Creek, Powder River Basin, Baker County, Oregon	Oregon Trail Electric Consumers Cooperative	800	1996 ¹
Strawberry ²	2032	Strawberry Creek, Salt River Basin, Wyoming	Lower Valley Power and Light	1,500	1999
Ponds Lodge	1413	Buffalo River, Fremont County, Idaho	Buffalo Hydro L.C.	250	2004
Hettinger	3041	Smith Creek, South Fork Salmon River, Idaho	MacKay Bar Corp.	12	2010

¹ The licensee did not file an application to relicense the project--the license expired on June 29, 1996. An application was filed by Douglas W. Pagar on February 28, 1997.

² Application filed on September 25, 1996.

APPENDIX D

LIST OF MANAGEMENT PLANS AND POTENTIAL FUTURE ACTIVITIES RELEVANT TO THE SNAKE RIVER BASIN (revised December 1997)

- Bonneville Power Administration, Army Corps of Engineers, Bureau of Reclamation. Columbia River system operation review--final environmental impact statement. November 1995.
- Bonneville Power Administration. Endangered Species Act record of decision regarding biological opinions by the National Marine Fisheries Service and U.S. Fish and Wildlife Service on operation of the federal Columbia River power system in 1995 and future years. March 10, 1995.
- Bonneville Power Administration and Idaho Department of Fish and Game. Phase I water rental pilot project: Snake River resident fish and wildlife resources and management recommendations. October 1992.
- Bonneville Power Administration and Idaho Department of Fish and Game. Phase II water rental pilot project: Snake River resident fish and wildlife resources and management recommendations. August 1994.
- Bonneville Power Administration and Idaho Department of Fish and Game. Idaho water rental pilot project probability/coordination study--resident fish and wildlife impacts. Phase III annual report. September 1996.
- Bureau of Land Management. Bennett Hills draft resource management plan and environmental impact statement. Shoshone District. March 1994.*
- Bureau of Land Management. Birds of Prey National Conservation Area management plan. December 1995.
- Bureau of Reclamation. Record of decision implementing actions pursuant to biological opinions of March 1, 1995. March 10, 1995.
- Bureau of Reclamation. Snake River Resources review--blueprint. June 1996.
- Environmental Protection Agency. 1996. Middle Snake River watershed--ecological risk assessment planning and problem formulation. Risk Assessment Group. draft. June 17, 1996.
- *Environmental Protection Agency. 1997. Water quality standards for Idaho: final rule. Federal Register, volume 62, no. 147, pages 41162-41188 (July 31, 1997).*
- Federal Energy Regulatory Commission. Milner, Twin Falls, Auger Falls, and Star Falls Hydroelectric Projects--final environmental impact statement. FERC/EIS-0048F. July 1990.
- Federal Energy Regulatory Commission. Shelley Hydroelectric Project (FERC no. 5090, Idaho)--final environmental impact statement. FERC/EIS-0064F. volumes I and II. February 1994.
- Federal Energy Regulatory Commission. Sahko Hydroelectric Project (FERC no. 11061-001)--scoping document 2. July 1996.

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- Federal Energy Regulatory Commission. Swift Creek Hydroelectric Project (FERC no. 1651)--final environmental assessment. November 1994.
- Federal Energy Regulatory Commission. Dworshak Small Hydro Project (FERC no. 10819)--draft environmental assessment. January 1997.
- Forest Service. Hells Canyon National Recreation Area Comprehensive Management Plan--draft environmental impact statement. Wallowa-Whitman National Forest. 1996.
- Forest Service. Wild and scenic Snake River recreation a management plan--final environmental impact statement. Hells Canyon National Recreation Area, Wallowa-Whitman National Forest. 1994.
- Forest Service. Payette National Forest land and resource management plan. Department of Agriculture, McCall, Idaho. May 6, 1988.*
- *Forest Service. Wallowa-Whitman National Forest land and resource management plan. Department of Agriculture, Baker City, Oregon. April 1990.*
- *Forest Service. Integrated noxious weed management plan. Department of Agriculture. Baker City, Oregon. April 1993.*
- *Forest Service. Imnaha River wild and scenic river management plan. Department of Agriculture. Baker City, Oregon. January 1993.*
- *Forest Service. Imnaha River section 7 watershed. Assessment of ongoing and proposed activities. Final report. Wallowa-Whitman National Forest. 1994.*
- *Forest Service. Sheep Creek section 7 watershed. Assessment of ongoing and proposed activities. Final report. Wallowa-Whitman National Forest. 1994.*
- *Forest Service. Snake River section 7 watershed. Assessment of ongoing and proposed activities. Final report. Wallowa-Whitman National Forest. 1994.*
- *Forest Service. Deep Creek section 7 watershed. Assessment of ongoing and proposed activities. Final report. Payette National Forest. 1994.*
- Gooding, Jerome and Lincoln Counties. Coordinated Water Resources Management Plan.
- Idaho Department of Fish and Game. Idaho fisheries management plan--1996-2000. 1995.
- Idaho Department of Health and Welfare. Middle Snake River nutrient management plan--public review draft. Division of Environmental Quality, South Central Idaho Regional Office. February 1995.
- Idaho Department of Health and Welfare. Water quality standards and wastewater treatment requirements. March 20, 1997.*
- *Idaho Department of Parks and Recreation. Idaho statewide comprehensive outdoor recreation and tourism planning: assessment and policy plan. May 1997.**
- Idaho Division of Environmental Quality. The Middle Snake River watershed management plan--public review draft no. 2. Twin Falls Regional Office. October 23, 1996.

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- Idaho Water Resources Board. Idaho state water management plan. January 1992.
- Idaho Water Resources Board. Comprehensive State Water Plan: Snake River: Milner Dam to King Hill. December 10, 1993.*
- Independent Scientific Group. Return to the river: restoration of salmonid fishes in the Columbia River ecosystem. September 10, 1996.
- National Marine Fisheries Service. Proposed recovery plan for Snake River salmon. March 1995.
- National Marine Fisheries Service. Endangered Species Act section 7 consultation biological opinion--reinitiation of consultation on 1994-1998 operation of the Federal Columbia River power system and juvenile transportation program in 1995 and future years. March 1995.
- National Park Service. Hagerman Fossil Beds National Monument--final general management plan/environmental impact statement. July 1996.
- Northwest Power Planning Council. Columbia River basin fish and wildlife program. December 14, 1994; amended December 1, 1995.*
- Northwest Power Planning Council. Protected areas amendments and response to comments. Document 88-22. September 14, 1988.*
- Oregon Department of Fish and Wildlife. Comprehensive plan for production and management of Oregon's anadromous salmon and trout: Part I. General considerations. Portland, Oregon. June 1, 1982. 33 pp.*
- Oregon Department of Fish and Wildlife. Oregon Bighorn sheep management plan. Portland, Oregon. November 1986. 17 pp.*
- Oregon Department of Fish and Wildlife. The statewide trout management plan. Portland, Oregon. November 1987. 77 pp.*
- Oregon Department of Fish and Wildlife. Warmwater game fish management plan. Portland, Oregon. August 1987. 60 pp.*
- Oregon Department of Fish and Wildlife. Mule deer plan. Portland, Oregon. 49 pp.
- Oregon Department of Fish and Wildlife. Oregon's elk management plan. Portland, Oregon. July 1992. 63 pp. plus appendix.*
- Oregon Department of Fish and Wildlife. Oregon's black bear management plan, 1993-1998. Portland, Oregon. 33 pp. plus appendices.*
- Oregon Department of Fish and Wildlife. Oregon's cougar management plan, 1993-1998. Portland, Oregon. 31 pp. plus appendices.
- Oregon Department of Fish and Wildlife. Oregon's migratory game bird program strategic management plan. Portland, Oregon. 12 pp. plus appendices.
- Oregon Department of Fish and Wildlife. Oregon wildlife diversity plan. Portland, Oregon.

November 1993. 512 pp.*

- Oregon Department of Fish and Wildlife. Oregon's cougar management plan, 1993-1998. Portland, Oregon. 31 pp. plus appendices.*
- Oregon Department of Fish and Wildlife. Oregon wildlife and commercial fishing codes. Portland, Oregon. 146 pp. plus index.*
- Oregon Department of Fish and Wildlife. Biennial report on the status of wild fish in Oregon. Portland, Oregon. December 1995. 217 pp. plus appendix.*
- Oregon Department of Fish and Wildlife. Comprehensive plan for production and management of Oregon's anadromous salmon and trout: Part III. Steelhead plan. Portland, Oregon. April 26, 1995. 118 pp. plus appendices.*
- Oregon Department of Fish and Wildlife. Wildlife Diversity. Program. Species at risk: Sensitive, threatened, and endangered vertebrates of Oregon. Portland, Oregon. June 1996. No pp.*
- Oregon Department of Fish and Wildlife. The Hells Canyon initiative; restoration of bighorn sheep to Hells Canyon. Draft--April 1997.
- Oregon State Parks and Recreation Division. Statewide comprehensive outdoor recreation plan. August 1983.*
- Pacific States Marine Fisheries Commission. White sturgeon management framework plan. 1992.
- Snake River Basin Water Committee. Water management opportunities within the Snake River basin. July 1994.
- State of Idaho. 1996. Measures to enhance salmon and steelhead migration success during 1996. February 20, 1995.
- U.S. Fish and Wildlife Service. Biological opinion on 1994-1998 salmon flow augmentation. March 1995.
- U.S. Fish and Wildlife Service. Snake River Aquatic Species Recovery Plan. Snake River Basin Office, Ecological Services, Boise, Idaho. December 1995.
- U.S. Fish and Wildlife Service. Recovery plan for the MacFarlane's four-o'clock, *Mirabilis MacFarlanei*. Portland, Oregon. 47 pp. 1985.
- U.S. Fish and Wildlife Service. Pacific coast American peregrine falcon recovery plan. October 12, 1982.
- U.S. Fish and Wildlife Service. Draft programmatic environmental impact statement on impacts of artificial salmon and steelhead production strategies in the Columbia Basin. December 10, 1996.
- U.S. Army Corps of Engineers, North Pacific Division. Record of decision--reservoir regulation and project operation, 1995 and future years. March 10, 1995.
- U.S. Army Corps of Engineers, Walla Walla District. Salmon decision analysis, Lower Snake River

feasibility study--final report. October 4, 1996.

- U.S. Army Corps of Engineers, Walla Walla District. Lower Snake River juvenile salmon migration feasibility study, system configuration study phase II. Interim status report. December 1996.
- Yakama Indian Nation, *Confederated Tribes of the Yumilla Indian Reservation, Confederated Tribes of the Warm Springs Reservation of Oregon, and the Nez Perce Tribe. We Koo'ish Ma Waa Kish-Hut (Spirit of the Salmon)*. 1996.
- Officially filed with the Commission as a project of the Lower Snake River Project.

APPENDIX E

SCOPING DOCUMENT DISTRIBUTION LIST

1. Service List (List of Intervenor)--Bliss, Lower Salmon Falls, Upper Salmon Falls, and Shoshone Falls Projects¹

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¹ Current as of December 15, 1997. #=all four projects; *=Bliss, Lower Salmon Falls, and Upper Salmon Falls Projects; %=Bliss Project; &=Shoshone Falls Project.

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FEB 18 1997

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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,



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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 EASTDA CLERK
BY *Maureen Martinez* DEPUTY

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

* * * * *

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

* * * * *

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

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

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

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

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

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

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

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

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

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

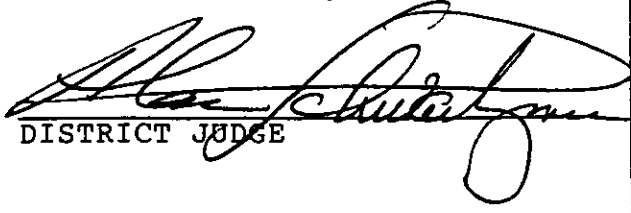
18 2. The above-captioned case is hereby dismissed
19 without prejudice as to all remaining defendants other than the
20 State Defendants.

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

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

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

DATED this 7th day of March, 1980


DISTRICT JUDGE