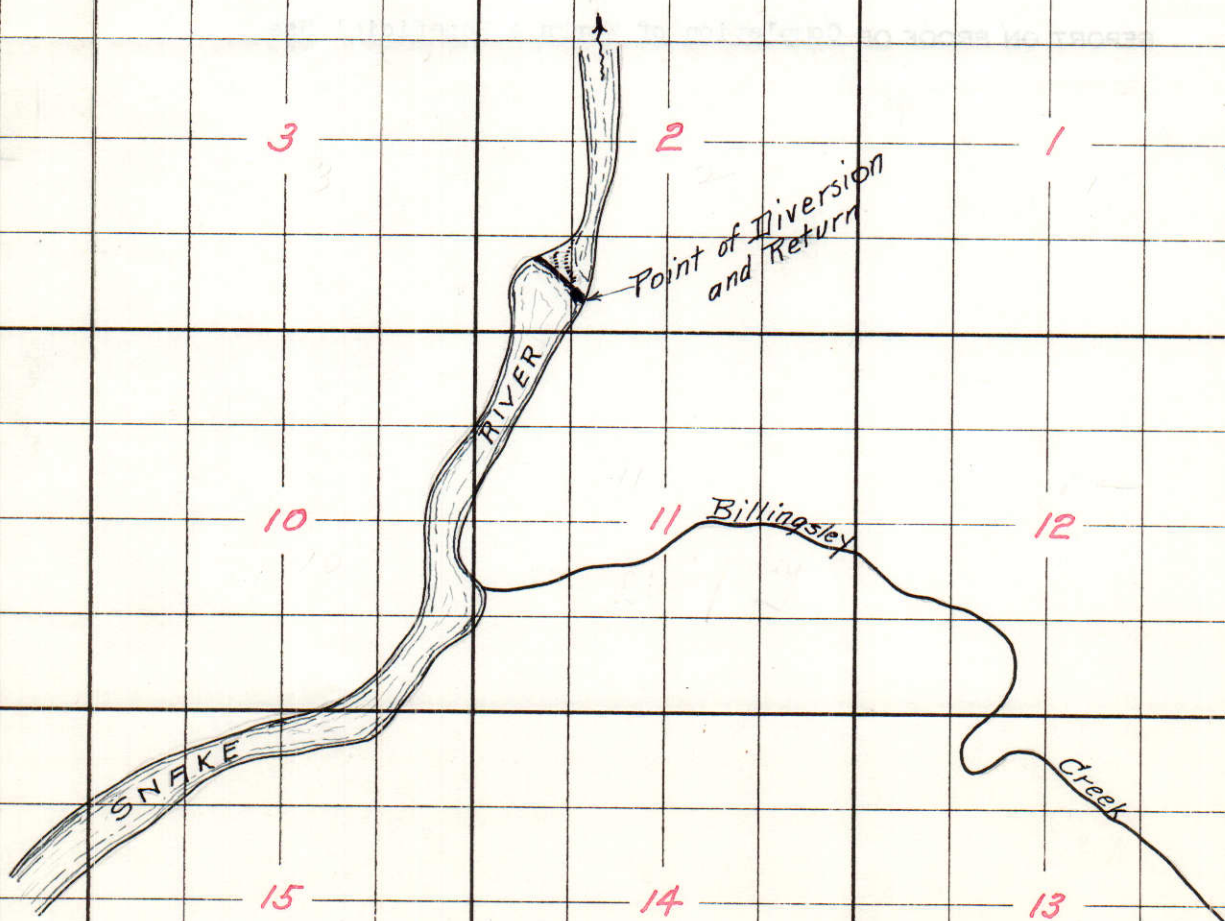


STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE
REPORT OF ENGINEER
PERMIT NO. 18107



NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 11 o'clock A. M. on the 29th day of June, 1937, at Boise, County of Ada, State of Idaho, before M. E. Hughes, Notary Public, 1220 Idaho Street, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 300 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. 18,107, heretofore issued by the Commissioner 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 conducting to the place of use, in accordance with the plans accompanying the application for such permit, is 300 cubic feet per second.

3. The use to which said water has been applied is in the production of electric energy and the amount applied to beneficial use is 300 cubic feet per second.

4. The place where said water is used is at Lower Salmon Falls Power Station, in Lot 7 of Section 2, in Township 7 South, of Range 13 East B. M., in Gooding County, Idaho.

5. The date of priority which said user is prepared to establish is March 20, 1935.

R. W. FARIS,
Commissioner of Reclamation
First publication May 27, 1937.
Last publication June 24, 1937.

PUBLISHER'S AFFIDAVIT

COUNTY OF GOODING, }
STATE OF IDAHO } ss.

F. F. Swan, being first
duly sworn, deposes and says that he is
Printer, of The
Gooding Leader, a newspaper of general
circulation in Gooding County, Idaho, pub-
lished weekly in the City of Gooding, in
said County and State; that said news-
paper has been published in said county
uninterruptedly and continuously for more
than seventy-eight consecutive weeks
prior to the first publication of the attach-
ed notice; that a notice, of which the an-
nexed is a true copy, was published in the
said newspaper for at least Five
consecutive issues, commencing with the
issue dated May 27, 1937 and
ending with the issue dated June 24,
1937 in the regular and entire issue of
said newspaper and not in any supplement
thereof.

F. F. Swan
Affiant's Signature.

Subscribed and sworn to before me this
24th day of June, 1937.

M. E. Hughes
Notary Public.
Residing at Gooding, Idaho.



18107

State of Idaho

License and Certificate of Water Right

Water License No. 18107.....

Amount 250 Sec. Ft.

Water District No.

Priority March 20, 1935

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 March 20, 1935; that Permit No. 18107
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
250 second feet, was issued thereunder on August 19, 1937, showing that said works
were completed on the 29th day of June, 1937; and that on the 29th
day of June, 1937,

IDAHO POWER COMPANY

of Boise, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Snake River
, a tributary of Columbia River, for the purpose of power
, under Use Permit No. 18107 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3884, on the 20th day of August, 1937;

The right hereby confirmed dates from March 20, 19 35 ;

The Point of Diversion is located in Lot 7,
in the $\frac{1}{4}$ $\frac{1}{4}$, 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 250 cubic feet per second.

Description and location of use: At what is commonly known as the Lower Salmon Falls Power Site on Snake River.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated

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 20th day of August, 1937

R. W. FARIS
Commissioner of Reclamation

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. 17070 Amount 1,050 Sec. Ft.
Water District No. Priority April 2, 1929

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 April 2, 1929; that Permit No. 17070
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1,050 second feet, was issued thereunder on August 19, 1937, showing that said works
were completed on the 29th day of June, 1937; and that on the 29th
day of June, 1937,

IDAHO POWER COMPANY
of Boise, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Snake River
, a tributary of Columbia River, for the purpose of power
, under Use Permit No. 17070 of the Commissioner 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 Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3883, on the 20th day of August, 1937;

The right hereby confirmed dates from April 2, 1929;
The Point of Diversion is located in Lot 5,
in the 1/4 1/4, Sec. 4, Tp. 10 S., R. 18 E., B. M., Twin Falls 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 1,050
cubic feet per second.

Description and location of use: At what is commonly known as the Twin Falls Power Site on
Snake River.

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated

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 20th day of August, 1937.

R. W. FARIS
Commissioner of Reclamation

(SEAL)

Notice 3-23 19-35
Publication 4-4 1819-35
Date for Pretest 5-22 19-35

No. 18107

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

02-2059

IF PROTESTED

Notice of Hearing 19-
Hearing 19-
Appeal Filed 19-

Application No. 25299
Permit No. 18107
District No.

1. Name of Applicant: IDAHO POWER COMPANY

Postoffice address: Boise County: Ada State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation: May 6, 1915; Augusta, Maine
(b) Amount of capital stock: \$26,000,000.00
(c) Amount paid in: \$21,646,700.00
(d) Names and addresses of directors: J. L. Boone, Boise; G. A. Bremer, Jerome; J. G. Conley, Caldwell; J. W. Cunningham, Boise; E. H. Dewey, Nampa; F. F. Johnson, Boise; R. B. King, Boise; E. H. Ostrander, Twin Falls; Chas. E. Palmer, Ontario; K. M. Robinson, Boise; H. L. Senger, Boise; Nathan Sommer, Boise; D. W. Standrod, Pocatello; W. T. Wallace, New York; E. T. Waters, Weiser.

II. The financial resources of the applicant are:

- (a) Cash on hand: \$1,134,528.77
(b) Treasury stock: \$154,300.00
(c) Bonds to be issued:
(d) Other resources: \$39,020,778.53

2. Quantity of water claimed: 300 cubic feet per second.

3. Source of water supply: Snake River which is a tributary of Columbia River

4. Location of point of diversion: N. 83° 21' E. 1298.7 feet distant from the SW corner of Section 2, T. 7 S., R. 13 E., B. M., and is in the Lot 7 of Section 2, T. 7 S., R. 13 E., B. M., County of Gooding

5. Water is to be used for: Power

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

- (a) Point of use of water: at existing power plant corner of Section T. , R. , B. M., in the Lot 7 of Section 2, T. 7 S., R. 13 E., B. M.
(b) Amount of power generated: 888 H. P., under 37 feet head.
(c) Water is to be returned to Snake River at a point power plant feet distant from the corner of Section , T. , R. , B. M., in the Lot 7 of Section 2, T. 7 S., R. 13 E., B. M.

7. Estimated cost of works: \$ 80,000.00

8. Kind of works: Dam and Power Plant, already constructed. See "Remarks".

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width 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 Five (5) years.

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

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

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

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

IDAHO POWER COMPANY *Applicant.*

By **K. M. Robinson** *Agent.*
President and General Manager

Date of first receipt at Department of Reclamation: **1:00 P. M. March 20, 1935**

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 18107
Recorded in Book 66 Page 18107 Approved May 23, 1935
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 \$ 1,000.00 to be filed on or before July 22, 1935
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 November 23, 1937
The whole of said work to be completed on or before May 23, 1940
Beneficial use of water appropriated in accordance herewith, to be made on or before May 23, 1946.

Witness my hand this 23rd day of May, 1935.

R. W. FARIS
Commissioner of Reclamation.

Remarks: The use of the water herein applied for is supplemental and in addition to the use of water licensed under Water Permit No. 3685, in the ownership and holding of the applicant herein.

14 The works of diversion, comprising dam and power house building - the latter constituting a part of the dam - were constructed in 1909 et seq., under the said Water Permit No. 3685.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
REMARKS: (Continued) It is intended to replace Generating Units Nos. 1 and 2 in the present plant works by two new units, the capacities of which will require larger volume of water than did the two units to be replaced.																			

Permit No. 18107																			
CERTIFICATE OF COMPLETION OF WORKS																			
To All Whom It May Concern:																			
This is to certify that THE IDAHO POWER COMPANY of Boise, County of Ada, and State of Idaho, the holder of Permit No. 18107, issued upon Application No. 25299 bearing date of priority of March 20, 1935, authorizing the diversion of 300 second feet of the waters of Snake River, County of Gooding, State of Idaho, for 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 250 second feet of the waters of Snake River; that the point of diversion of said waters is N. 83° 21' E. 1298.7 feet distant from the SW corner of Section 2, T. 7 S., R. 13 E., B. M., and is in Lot 7 of Section 2, T. 7 S., R. 13 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to wit: No lands to be irrigated--water is used exclusively for power.																			
Witness my hand this 19th day of August, A. D. 1937.																			
R. W. FARIS Commissioner of Reclamation																			
Proof of completion of works made June 29, 1937 Certificate issued August 19, 1937.																			
LICENSE ISSUED FOR 250 SEC. FT. V. 7 P. 3884																			

MEMORANDUM

TO: FILE 02-02059

FROM: CINDY BIRD

RE: FERC Corresp.

DATE: 1-5-98

Original Application, forms and correspondence regarding the
above is located within file # 02-02001.

02-2060
02-2001
02-2059

FEDERAL ENERGY REGULATORY COMMISSION

WASHINGTON, D. C. 20426

FEB 12 1997

RECEIVED

FEB 18 1997

Department of Water Resources

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

To The Party Addressed:

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

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

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

Sincerely,



J. Mark Robinson
Director, Division of
Licensing and Compliance

Distribution:

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

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

MAR 9 1990

JOHN EASTDA CLERK
BY *Michael Martinez* DEPUTY

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

* * * * *

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

* * * * *

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

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

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

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

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

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

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

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

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

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

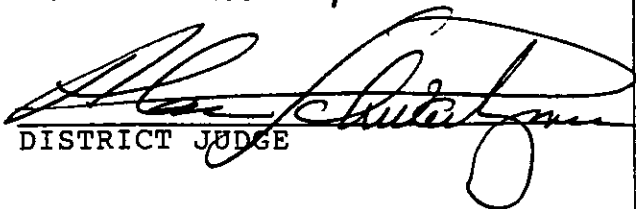
18 2. The above-captioned case is hereby dismissed
19 without prejudice as to all remaining defendants other than the
20 State Defendants.

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

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

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

DATED this 17th day of March, 1990


DISTRICT JUDGE

RECEIVED
FEB 8 1993
Department of Water Resources

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Idaho Power Company

Project No. 2061
Idaho L: 02-2060-200111-
20048-2059

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 Lower Salmon Falls Hydroelectric Project No. 2061, 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. 2061 was issued effective December 24, 1947, and expires December 23, 1997.

The project is located on the Snake River in Twin Falls and Gooding Counties, Idaho. The principal works of the Lower Salmon Falls Project include a reservoir; a concrete overflow dam and a gated concrete spillway; a powerhouse with an installed capacity of 60,000 kW; two 138-kV transmission lines; 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 December 23, 1995.

Lois D. Cashell
Secretary

02-2059



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 F. Streiff

SUBJECT: Water Resource Board Meeting

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

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

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

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

Mr. John Bessaw ..

- 2 -

February 24, 1976

<u>Project</u> <u>No.</u>	<u>Name</u>	<u>License Expira-</u> <u>tion Date</u>	<u>Pertinent License</u> <u>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. complete

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

Very truly yours,

H. Frank Thomas
H. Frank Thomas
Regional Engineer

Enclosures

10/23/92

Article 29. To the extent that it had 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 debris material resulting from the clearing of the lands or 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.

02-2061
02-2059
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 Licensee shall pay to the United States the following annual charges:

- (i) For the purpose of reimbursing the United States for the costs of administration of Part I of the Act, one (1) cent per horsepower on the authorized installed capacity (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, 1917, 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.

02-2059



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

*- RKH
- AKD*

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

MEMORANDUM

March 30, 1976

TO: Steve Allred *CH*

FROM: Ralph Mellin *RJM*

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

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

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

	Water Right in cfs	Low Month Average in cfs	Low Month in cfs	DATE OF LICENSE EXPIRATION
01-0217 Minidoka - 1909	2,700	100 Feb.	0 March 36	by Congress
02-2039 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
02-2007 Swan Falls - 1919	9,450	4,000 Aug.	2,700 July 61	License of 1 year

*(Excludes 4,000 cfs
claim)*

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

April 22, 1957

RE: Permits Nos. 3685, 17069,
18107 & 19924

Toothman, Chronic & Associates
105 North 23rd Street
Boise, Idaho

Dear Sirs:

We acknowledge receipt of your check in the amount of \$11.25 to cover the fee for making photo-copies of the Permits above captioned.

We enclose departmental receipt No. 28547 for that fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR
Encl.

18107

April 16, 1957

RE: Permits Nos. 3685, 17069,
18107 & 19924

Toothman, Chronic & Associates
105 North 23rd Street
Boise, Idaho

Gentlemen:

A few days ago, at your request, we made photo-copies of
Permits Nos. 3685, 17069, 18107 & 19924 and these copies were picked
up at our office by one of your representatives.

The fees for making these copies are based at the rate of
.75¢ per page or a total of \$11.25, which you may remit to this
Department at your convenience.

Very truly yours,

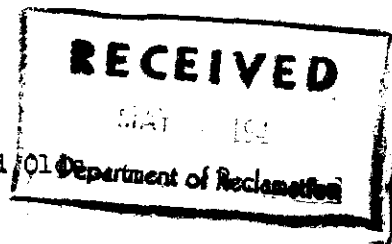
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR

18107

UNITED STATES OF AMERICA
FEDERAL POWER COMMISSION



Before Nelson Lee Smith, Chairman/ Deland, FL
Commissioners: and Harrington Wimberly.

April 29, 1947

In the Matter of)
)
Idaho Power Company)

Project No. 457

ORDER AUTHORIZING AMENDMENT OF LICENSE (MAJOR)

- (1) Idaho Power Company, of Boise, Idaho, filed an application on August 1, 1946, as supplemented on August 27, 1946, and October 23, 1946, respectively, for amendment of license for major Project No. 457 for redevelopment of the Lower Salmon Falls power site on Snake River, located in Twin Falls and Gooding Counties, Idaho, affecting public lands of the United States.
- (2) The project covered by the original license issued June 25, 1928, and made effective January 1, 1928, for a period terminating June 30, 1970, consists of a dam about 12 feet high and 783 feet long, and an adjacent powerhouse section with 3 horizontal turbines direct-connected to generators having an installed capacity of 7,600 kilovolt-amperes, operating under a static head of about 36 feet. The license was amended on June 11, 1934, to provide for release of such waters for navigation purposes as may be prescribed by the Secretary of War, and was amended on May 13, 1935, to provide for replacement of turbines Nos. 1 and 2 with new turbines, together with appurtenant equipment.
- (3) As contemplated in the pending application for amendment, the redeveloped project will consist of a new concrete dam about 600 feet long and about 40 feet high comprising a gated ogee section about 310 feet long with eight 30' by 14½' Taintor gates, an overflow section about 200 feet long and a non-overflow section about 90 feet long, located approximately 50 feet downstream from the existing dam of Project No. 457, a fishway, a reinforced concrete powerhouse adjacent to the dam having installed three 21,000 horsepower fixed-blade propeller-type turbines and one 22,800 horsepower Kaplan turbine each connected to a 15,000 kilowatt generator with appurtenant equipment, operating under a static head of 62 feet, provision for the installation of an additional turbine generator unit, and a reservoir with approximately 3,500 acre-feet of pond capacity with 6-foot drawdown.

18107

- (4) Although not included in the application for amendment, the 138-KV Tap Line from Lower Salmon Falls plant to its junction with the Boise-Hagerman Valley 138-KV transmission line, to be used primarily to transmit energy away from Lower Salmon Falls plant, and the appurtenant switching station at Lower Salmon Falls are essential parts of the project and should be included in the license.
- (5) The application for amendment states that the power installations will utilize normal river flow at approximately 40 percent load factor, that the existing units will be taken out of service and removed upon completion of installation of two of the new 15,000 kilowatt units, and that the proposed changes are necessary and desirable in order to make full utilization of the power site and to provide energy and peaking capacity for existing increased load on the applicant's system and for anticipated future increased load requirements.
- (6) Pursuant to applicant's written request, the Commission on August 8, 1946, advised applicant that preliminary construction of the work covered by the application, at applicant's own risk, would not prejudice consideration of the pending application for amendment.
- (7) No additional lands of the United States will be affected by the redevelopment of the project, but the amount of private lands has been tentatively reduced.
- (8) The Secretary of the Interior has been invited to report on the application concerning fishways.
- (9) The Secretary of War and the Chief of Engineers have reported favorably on the application.
- (10) The effect of the amendment will be to increase the power capacity of the project from 9,265 horsepower to 28,600 horsepower, computed in accordance with the license provisions.

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

- (11) There is no other application before the Commission in conflict with the pending application.
- (12) Public notice has been given as required by the Act.
- (13) The Tap Line referred to in paragraph (4) above is a primary line and together with the appurtenant switching station at Lower Salmon Falls are within the definition of "project" as contained in Section 3(11) of the Act, and constitute integral parts of the project.

18107

- (14) Upon completion of the redevelopment of the project, the existing project will no longer be used or useful.
- (15) The following maps and plans of the project submitted with the application for amendment as supplemented conform to the Commission's rules and regulations and should be incorporated in the license as further amended:

Exhibit J: (FPC No. 457-19), superseding Exhibit J (FPC No. 457-1);

Exhibit K: Sheet 1 (FPC No. 457-20), superseding Exhibit K, Sheet 1 (FPC No. 457-16);

Exhibit K: Sheet 5 (FPC No. 457-18), superseding Exhibit K, Sheet 2 (FPC No. 456-6);

Exhibit L: In six sheets (FPC No. 457-21 to 26 inclusive), superseding Exhibit L in nine sheets (FPC No. 457-7 to 15);

Exhibit M: In one sheet, entitled, General Description and Specifications of Equipment, signed Idaho Power Company, by C. J. Strike, President and General Manager on July 27, 1946, superseding Exhibit M signed by W. R. Putnam, Vice-President as modified and supplemented by Exhibit M, signed by K. M. Robinson, President.

It is ordered that:

- (16) The license for Project No. 457 be further amended to authorize the reconstruction, operation and maintenance of Lower Salmon Falls project as described in paragraphs (3) and (4) above.
- (17) The license as amended shall contain the following special conditions:
 - (i) Upon completion of the redevelopment of the Lower Salmon Falls project, the existing project shall be eliminated from the license.
 - (ii) The Licensee shall commence reconstruction of the project within six months from the date of issuance of the amendment and shall thereafter in good faith and with due diligence prosecute such reconstruction, and shall complete and place in operation the redeveloped project within three years from the date of issuance of the amendment, and at such time

18107

4/29/47

and to the extent that it is economically sound and in the public interest to do so, shall install such additional generating equipment as the Commission may direct after notice and opportunity for hearing.

- (iii) The Licensee shall construct, maintain and operate such fish protective devices as the Commission may prescribe upon recommendation of the Secretary of the Interior.
- (iv) Within 90 days after issuance of the amendment, the Licensee shall file with the Commission appropriate exhibits showing the 138-KV Tap Line from Lower Salmon Falls plant to its junction with the Boise-Hagerman Valley 138-KV transmission line and the appurtenant switching station at Lower Salmon Falls.
- (18) The power capacity of the project under the license as amended shall be taken as 28,600 horsepower, upon which shall be based the charges for 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.
- (19) The exhibits described in paragraph (15) above as conforming to the Commission's rules and regulations be and they hereby are approved as part of the license as amended, and the exhibits described in the same paragraph as superseded be and they hereby are eliminated from the license as amended.

By the Commission.

Leon M. Fuquay,
Secretary.

Date of Issuance: May 2, 1947

18107

14187 ✓
c
y

UNITED STATES
DEPARTMENT OF THE INTERIOR
Geological Survey

Idaho Falls, Idaho
June 18, 1937

Mr. B.E. Stoutemyer
603 Post Office Bldg.,
Portland, Oregon.

Dear Mr. Stoutemyer:

Herewith is a clipping from the Twin Falls News relative to proof of completion of works and application of water to beneficial use by Idaho Power Co. at Twin Falls and Lower Salmon Falls with dates of priority of April 2, 1929 and March 20, 1935, respectively.

I understand that when the Federal Power Commission granted a license for the development at Twin Falls a provision was made that any water rights acquired would not be adverse to future storage rights above Milner. I do not know whether a similar provision applies to the increased development at Lower Salmon Falls.

If my understanding of this matter is correct I wonder if it wouldn't be desirable for you to file a request with the Commissioner of Reclamation asking that he include a provision in his license to the Power Co. reciting the restriction in the Federal Power Commission license.

I suppose the latter would control anyhow but it seems to me that it would be desirable to have it reaffirmed in the State water right license so that it will be clearly evident that the date of priority applies only to rights below Milner and is not adverse to subsequent developments above Milner.

Yours truly,

/s/ LYNN CRANDALL
District Engineer.

18107

UNITED STATES
DEPARTMENT OF THE INTERIOR
Geological Survey

Idaho Falls, Idaho
June 18, 1937

Mr. E. E. Stoutemyer
603 Post Office Bldg.,
Portland, Oregon.

Dear Mr. Stoutemyer:

Herewith is a clipping from the Twin Falls News relative to proof of completion of works and application of water to beneficial use by Idaho Power Co. at Twin Falls and Lower Salmon Falls with dates of priority of April 2, 1929 and March 20, 1935, respectively.

I understand that when the Federal Power Commission granted a license for the development at Twin Falls a provision was made that any water rights acquired would not be adverse to future storage rights above Milner. I do not know whether a similar provision applies to the increased development at Lower Salmon Falls.

If my understanding of this matter is correct I wonder if it wouldn't be desirable for you to file a request with the Commissioner of Reclamation asking that he include a provision in his license to the Power Co. reciting the restriction in the Federal Power Commission license.

I suppose the latter would control anyhow but it seems to me that it would be desirable to have it reaffirmed in the State water right license so that it will be clearly evident that the date of priority applies only to rights below Milner and is not adverse to subsequent developments above Milner.

Yours very truly,

/s/ LYNN CRANDALL
District Engineer.

18107

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

18107

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.

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.

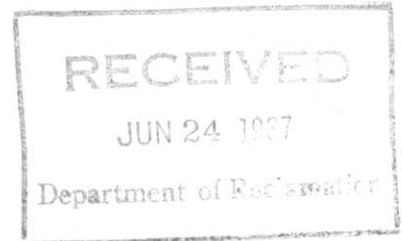
Very truly yours,

/s/ B. E. STOUTENYER
District Counsel

encl
cc - Mr. Crandall

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:

18107

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, 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 such purpose 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.

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,


B. E. Stoutemyer
District Counsel

encl

cc - Mr. Crandall

July 8, 1937

Re: Permits No. 1707 & 18107

K. M. ROBINSON, General Manager
Idaho Power Company
P. O. Box 770
Boise, Idaho

Dear Mr. Robinson:

Under date of June 29, the following papers were received in this Department in connection with the above permits.

Deposition of the holder and depositions of two witnesses for proof of completion of works. Deposition of the holder and depositions of two witnesses for proof of application of water to beneficial use, all in connection with Permit No. 17070 and the same papers were received in connection with these proofs under Permit No. 18107, as well as an affidavit of proof of publication from the Twin Falls News and the North Side News, in connection with Permit No. 17070, and affidavits of proof of publication from the Twin Falls News and the Gooding County Leader in connection with Permit No. 18107.

These papers are in proper form. Consequently Mr. Fred A. Tolman, field engineer of this Department, will make an examination within the next few days at both sites. In view of the fact that you are anxious to get action on both of these matters, Mr. Tolman will turn in his reports as soon as he returns to the office so that we can advise you as to the fees due prior to the issuance of a certificate of completion of works and license under each permit.

Yours very truly,

Paul L. Henry,
Deputy Commissioner

18107

PLH/ci

August 20, 1937

Re: Permits 17070 & 18107.

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

Dear Mr. Inman:

We are herewith enclosing a Certificate of Completion of works and a License and Certificate of Water Right under each of the above permits, together with the Department's Receipts Nos. 16326 and 16327 for the fees paid in connection with the proofs under these permits.

Very truly yours,

Deputy Commissioner of Reclamation

jl
Encl.
2 Certificates
2 Licenses
Office Receipts for
\$82.00 & \$322.00.

18107

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18107

This proof is for Completion of Works & Beneficial Use

In Water District No.

1. Name of applicant IDAHO POWER COMPANY
2. Source of water supply: Snake River
3. Location of point of diversion: Is in the Lot 7 of Section 2
T. 7 S. R. 13 E. County of Gooding County
4. Describe works as they exist, giving dimensions and capacities of same: Works of diversion include: Dam 960' long x 37' high; Power house 110' long x 74' wide, of concrete; 2 Westinghouse A.C. generators, 2000 K.V.A., 6600 Volts, 3 phase, 60 cycle, 200 R.P.M.; also 1 Westinghouse A.C. generator, 3600 K.V.A., 6600 Volts, 3 phase, 60 cycle, 220 R.P.M.; 2 new and 1 older S. Morgan Smith turbines; Capacity 3250 Sec. Ft.
5. Water is used for: Generation of Electric Power
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): Developed power is distributed through the Idaho Power Company's trunk lines.

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

8. What large stream would the water here appropriated finally reach? Columbia River
- Remarks: Owing to the turbulent conditions of the tail race below the plant, an actual measurement of even approximate accuracy is impossible. The best available information indicates that the old unit in the plant has a capacity of 1300 Sec. Ft., and the two new units have a combined capacity of 1950 Sec. Ft., or a total plant use of 3250 Sec. Ft., of which amount 3000 Sec. Ft. have previously been granted under the terms of License No. 3685.

02-2001

This examination was made on the 13th day of July, 19 37

(Signed)

Ed A. Johnson
 Examiner.

K. M. Robinson, General Manager
Boise, Idaho 27

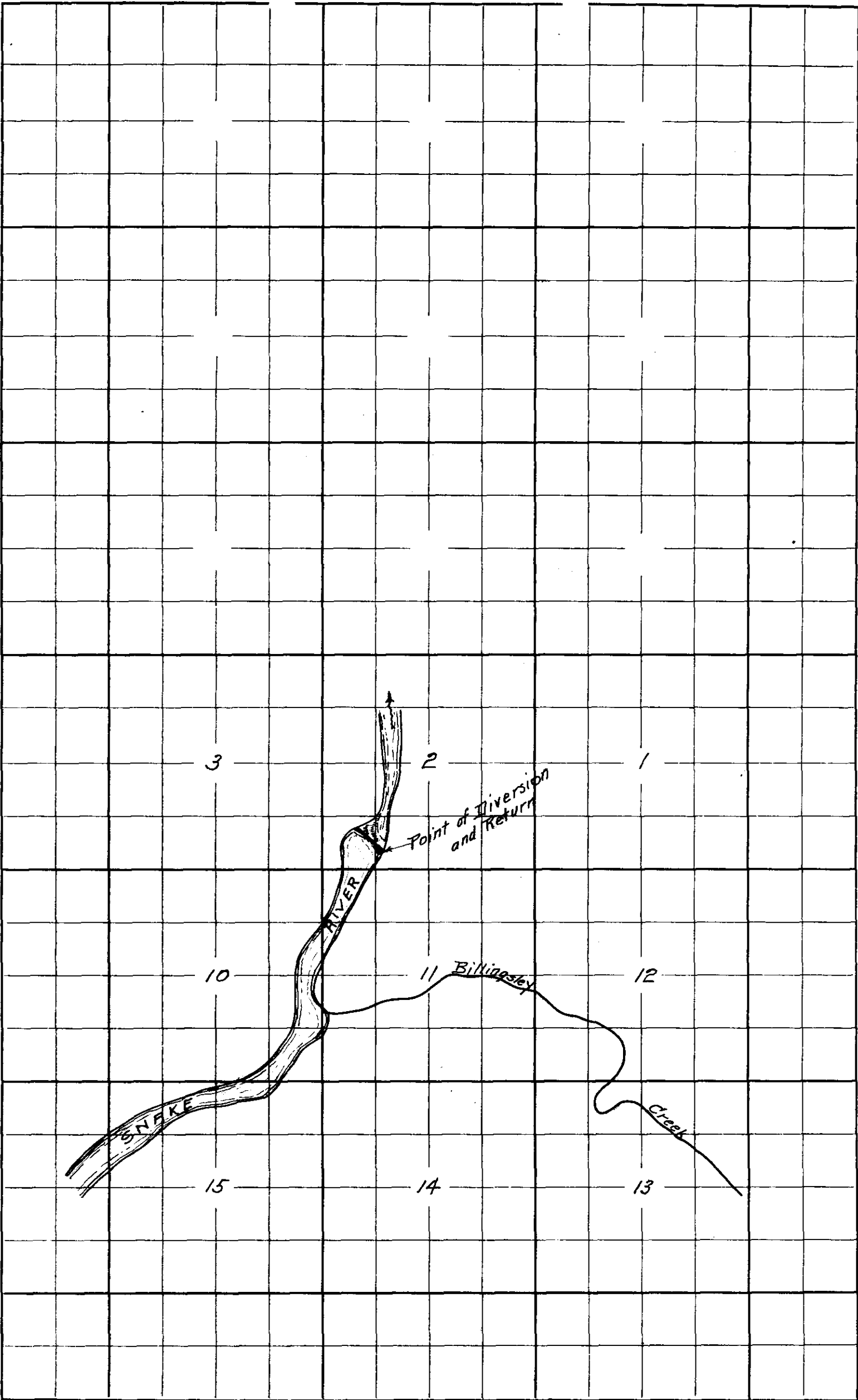
Permit No. 18107

Examination for Completion of Works &
Beneficial Use

County Twin Falls

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 a 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.
-



SCALE: 2 INCHES EQUALS 1 MILE. DRAW MAP IN INK.

18107

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE**

REPORT OF ENGINEER

PERMIT NO. 18107

REPORT ON PROOF OF Completion of Works & Beneficial Use



IDAHO POWER COMPANY

BOISE, IDAHO

August 19, 1937.

RECEIVED

AUG 19 1937

18107
Department of Reclamation of
State of Idaho,
Capitol Building,
Boise, Idaho.

Gentlemen:

In accordance with your notification, we
transmit herewith Company check in the amount of
\$82.00 to cover statutory fee in connection with
our filing of proofs of completion of works and
application of water to beneficial use for the
obtainment of license under Water Permit No. 18107,
Lower Salmon Falls, Snake River.

Very truly yours,

A. C. Inman,
Attorney.

ACI/B
Enc.

18107

August 19, 1937

Re: Permits 17070 & 18107.

Mr. Arthur C. Inman, Attorney
Idaho Power Company
Boise, Idaho

Dear Mr. Inman:

This is to advise you that we now have our field engineer's reports covering his examinations under each of the above permits relating to completion of works and proof of beneficial use of the waters claimed thereunder.

There is a statutory fee due under Permit 17070 of \$322.00, of which amount \$317.00 is for completion of works and \$5.00 for beneficial use proof. In addition, there is a statutory fee due under Permit 18107 in the amount of \$82.00, \$77.00 of which is for completion of works and \$5.00 for beneficial use proof. These fees total \$404.00, and immediately upon receipt of that amount, certificates of completion of works will be issued under these permits, as well as the licenses.

Very truly yours,

Deputy Commissioner of Reclamation

RMH:j1

18107

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE.

18107
Notice is hereby given that at 11 o'clock a. m., on the 29th day of June, 1937, at Boise, County of Ada, State of Idaho, before M. E. Hughes, Notary Public, 1220 Idaho St., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 300 cubic feet per second of the waters of Snake River and the application to beneficial use of said water in accordance with the terms and conditions of Permit No. 18,107, heretofore issued by the Commissioner of Reclamation of the State of Idaho.

1. The name and post office 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 conducting to the place of use, in accordance with the plans accompanying the application for such permit, is 300 cubic feet per second.

3. The use to which said water has been applied is in the production of electric energy and the amount applied to beneficial use is 300 cubic feet per second.

4. The place where said water is used is at Lower Salmon Falls Power Station, in Lot 7 of Section 2, in Township 7 South, of Range 13 East B. M., in Gooding County, Idaho.

5. The date of priority which said user is prepared to establish is March 20, 1935.

R. W. FARIS.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
COUNTY OF TWIN FALLS, } ss.

RECEIVED JUN 29 1937
Department of Reclamation N^o 3602

I, Helen Groves, being first duly sworn upon oath depose and say that I am principal clerk of the TWIN FALLS DAILY NEWS, published daily, except Monday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice or advertisement, as per clipping attached was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for 27 consecutive issues, commencing with the issued dated May 27, 1937, and ending with the issue dated June 26, 1937.

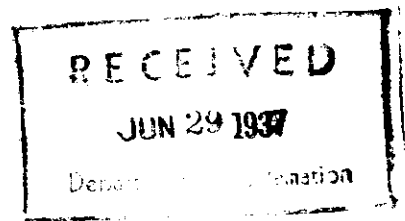
And I do further certify that said newspaper has been published as a daily paper, except Monday, under said name and in said city and county, continuously and uninterruptedly during a period of more than twelve consecutive months prior to the first publication of said notice or advertisement.

Helen Groves
Subscribed and sworn to before me this twenty-first day of June, 1937.

Deland K. Miller
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

18107

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. 18107

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. K. M. Robinson, Boise, Idaho; President and General Manager, Idaho
Power Company, P. O. Box 770, 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; principal place of business in Idaho at 1220 Idaho St.,
Boise; President and General Manager.

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

Ans. No. 18107, May 23, 1935; ^{Mar. 20,} ~~May 23,~~ 1935.

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

Ans. Snake River; North 83° 21' East 1298.7 feet from southwest corner of Sec. 2,
Twp. 7 S., Range 13 E., B. M.

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

Ans. Timber faced dam, concrete piers, 960 feet in length, 25 feet maximum height;
concrete forebay and power house form part of dam, approximately 74 feet in length
and 95 feet high; capacity 5300 cfs.

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. Generation of electric energy at Lower Salmon Falls power plant on Snake River
in Gooding County, Idaho.

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

Ans. Under Application 18107, capacity of existing works (under Permit and License
No. 5685) was enlarged. Draft tubes were reconstructed and enlarged and trash rack
spacings increased; two turbines were replaced with larger new units. Present installa-
tions - three turbines direct connected to three generators, rated capacity 9933 hp.,
maximum load generated 7450 kw.

18107

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

Ans. Approximately 3500 cfs. at full load.

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. _____

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

Ans. Since 1911 waters have been and will be continued to be used under Permit and License No. 3685; since June 17, 1935 300 cfs. additional water has been used under Permit No. 18107; entire flow of Snake River up to 3500 second feet.

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. Under existing Permit and License No. 3685 approximately 3000 cfs. has heretofore been and will continue to be used, 300 cfs. additional under this Permit 18107; total 3500 cfs.

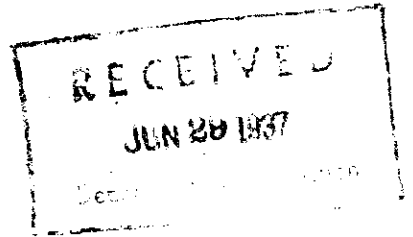
(Sign) Am Robinson

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 29th day of June, A. D. 1937.

M. J. Hughes
Notary Public residing at Boise, Idaho

My commission expires March 27, 1940.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 18107

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. W. L. Gorton, - Age 56 - Engineer P. O. Box 1134 - 1409 - N. 18th St.

Boise, Idaho.

Ques. 2. Are you acquainted with Idaho Power Co., the holder of Permit No. 18107? How long have you known him and where does he reside?

Ans. Yes - 18 years. - 1220 Idaho St. Boise Idaho

Ques. 3. Have you read or heard read said Permit No. 18107, and are you familiar with its provisions and conditions?

Ans. Yes - 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 Lower Salmon Falls, Diversion Dam in Snake River.

Conduit to water wheels.

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. 3500 sec. ft. - Amount observed 3200

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Generation of Power, for distribution on Company's transmission lines.

18107

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

Ans. Water has been used for generation of Power (See answer to question 5)

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

Ans. -

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

Ans. 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. Examination of Plant & works on June 19-1937 - Plant in operation
Generating 7200 kw of Power.

(Signed)

W. L. Gorton

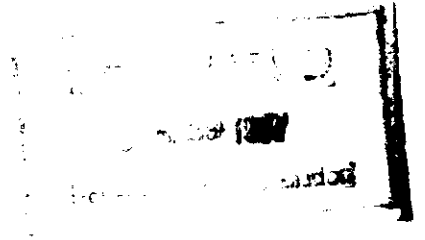
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Baise, County of Ada, State of Idaho, on this day of 29th of June, A. D. 1937.

M. J. Hughes
Notary Public.

My commission expires March 29, 1937

Notary Public residing at Baise, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



PERMIT NO. 18107

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, Box 156 Boise Ida.
Age 45

Ques. 2. Are you acquainted with Yes, the holder of Permit No. 18107? How long have you known him and where does he reside?

Ans. 18 years

Ques. 3. Have you read or heard read said Permit No. 18107, 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 Lower Salmon Falls, Dam across Snake River with short
penstock to water wheels

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. 5500 cfs. Have seen 3200 cfs.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division 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 improvement which have been made as a direct result of said use.

Ans. Generation of electrical energy near the above described point of diversion.
Necessary substation and power transmission line to deliver power to points
of use.

18107

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

Ans. Generation of Electrical Energy

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

Ans. _____

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

Ans. 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. June 19th, 1937 I observed operation of plant. See answer to Question 5.

(Signed)

Myron Burnham

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 day of 29th day of June, A. D. 1937.

M. B. Hughes

Notary Public.

My commission expires March 27, 1940

Notary Public residing at Boise, Idaho

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE.

Notice is hereby given that at 11 o'clock A. M. on the 29th day of June, 1937, at Boise, County of Ada, State of Idaho, before M. R. Hughes, Notary Public, 1226 Idaho Street, Boise, Idaho, proof will be submitted of the completion of works for the diversion of 300 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. 18,107, heretofore issued by the Commissioner 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, 1226 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 conducting to the place of use, in accordance with the plans accompanying the application for such permit, is 300 cubic feet per second.

3. The use to which said water has been applied is in the production of electric energy and the amount applied to beneficial use is 300 cubic feet per second.

4. The place where said water is used is at Lower Salmon Falls Power Station, in Lot 7 of Section 2, in Township 7 South, of Range 13 East B. M., in Gooding County, Idaho.

5. The date of priority which said user is prepared to establish is March 30, 1935.

R. W. FARRIS,
Commissioner of Reclamation
First publication May 27, 1937.
Last publication June 24, 1937.

PUBLISHER'S AFFIDAVIT

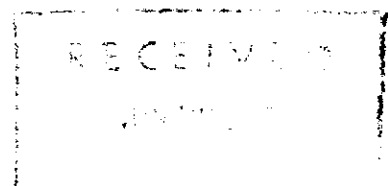
COUNTY OF GOODING, }
STATE OF IDAHO } ss.

F. T. Swan, being first duly sworn, deposes and says that he is Printer, of The Gooding Leader, a newspaper of general circulation in Gooding County, Idaho, published weekly in the City of Gooding, in said County and State; that said newspaper has been published in said county uninterruptedly and continuously for more than seventy-eight consecutive weeks prior to the first publication of the attached notice; that a notice, of which the annexed is a true copy, was published in the said newspaper for at least Five consecutive issues, commencing with the issue dated May 27, 1937 and ending with the issue dated June 24, 1937 in the regular and entire issue of said newspaper and not in any supplement thereof.

F. T. Swan
Affiant's Signature.

Subscribed and sworn to before me this 24th day of June, 1937.

D. P. Rutphen
Notary Public.
Residing at Gooding, Idaho.



18107

RECEIVED

JUN 27 1937

PERMIT NO. 18107

Proof of Completion of Works

DEPOSITION OF HOLDER

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

Ans. K. M. Robinson; Boise, Idaho; President and General Manager, Idaho Power Company; P. O. Box 770, 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; principal place of business in Idaho at 1220 Idaho Street, Boise; President and General Manager.

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

Ans. No. 18107, May 23, 1935; 300 cubic feet per second, Snake River; North 83° 21' East 1298.7 feet from southwest corner of Sec. 2, in Twp. 7 S., Range 13 E., B.M. & is in Lot 7, Sec 2, T 7 S. R 13 E.

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. Generation of electric power.

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

Ans. Water has been turned into the works of diversion; since 1911, under Water Permit No. 3685, and since June 17, 1935, under Water Permit No. 18107; entire flow of river up to 3500 sec. ft.

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

Ans. Works of diversion were heretofore and are now fully completed under existing Water Permit and License No. 3685; and were enlarged under Permit No. 18107, and comply with the terms of Permit No. 18107.

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

Ans. _____

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

Ans. Timber faced dam, concrete piers, 960 feet in length, 25 feet maximum height; concrete forebay and power house form part of dam, approximately 74 feet in length and 95 feet high; capacity - 3500 cfs. Cost of increasing capacity of works - approximately \$31,049, exclusive of turbine costs.

(Sign here.)

K. M. Robinson

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 29th day of June, A. D. 1937.

M. D. Hughes
Notary Public.

My Commission expires March 27, 1940.

Notary Public residing at Boise, Idaho

18107

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

Permit No. 18107

RECEIVED

JUN 29 1937

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

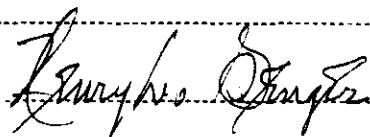
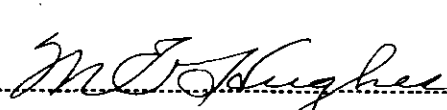
Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Henry L. Senger, Chief Engineer, Idaho Power Company, (Registered
engineer), Boise, IdahoQues. 2. Are you acquainted with Idaho Power Company, the
holder of Permit No. 18107, authorizing the diversion of 300 second-feet of the
waters of Snake River, at _____, for power purposes? How long have you known him, and where does he reside?Ans. Yes; since 1916; 1220 Idaho Street, Boise, Idaho.Ques. 3. Have you read or heard read said Permit No. 18107, 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.

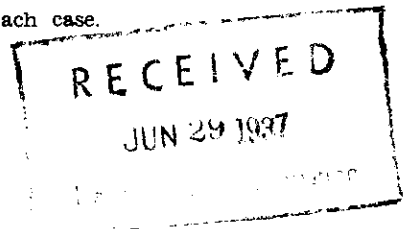
Ans. _____

Ques. 5. Are the works of diversion fully completed and of sufficient capacity to con-
vey 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. Timber faced dam, concrete piers, 960 feet in length, 25 feet maximum
height; concrete forebay and powerhouse form part of dam, approximately 74 feet in
length and 95 feet high; capacity 3300 cfs.

(Sign here.)

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 29th
day of June, A. D. 1937.
Notary Public residing at Boise, Idaho18107

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

Permit No. 18107

Proof of Completion of Works

DEPOSITION OF WITNESS

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

Ans. Calvin O. Crane, Electrical Engineer, Idaho Power Company, (Registered engineer), Boise, Idaho.

Ques. 2. Are you acquainted with Idaho Power Company, the holder of Permit No. 18107, authorizing the diversion of 300 second-feet of the waters of Snake River, at _____, for power purposes? How long have you known him, and where does he reside?

Ans. Yes; since 1916; 1220 Idaho Street, Boise, Idaho.

Ques. 3. Have you read or heard read said Permit No. 18107, 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. _____

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. Timber faced dam, concrete piers, 960 feet in length, 25 feet maximum height; concrete forebay and powerhouse form part of dam, approximately 74 feet in length and 95 feet high; capacity 3300 cfs.

(Sign here.) C. O. Crane

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 29th day of June, A. D. 1937.

M. D. Hughes
Notary Public - Idaho

18107

Bond.

KNOW ALL MEN BY THESE PRESENTS, That IDAHO POWER COMPANY
of Boise, Idaho, as principal, and NATIONAL SURETY CORPORATION
a New York Corporation

as surety, are held and firmly bound unto the State of Idaho in the full
and just sum of ONE THOUSAND AND NO/100 (\$ 1000.00) 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 heirs, administrators, executors and assigns, jointly and
severally, under the terms and conditions hereinafter set forth.

The terms of this obligation are such that, whereas the above named principal on the
20 day of March, 1935, filed in the office of the Commissioner of Reclama-
tion 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. 25299, in accordance with which said
application the Commissioner of Reclamation granted and issued to the said principal herein a cer-
tain permit numbered No. 18107, a full, true and complete copy of which application No. 25299
and permit No. 18107, is of record in the office of the Commissioner of Reclamation in Book
66 of Permits, at Page 18107

Now, if the above bounden principal shall faithfully carry to completion the said works of diver-
sion as specified in said application No. 25299 and permit No. 18107, in the manner and form
prescribed therein and within the time therein 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 25 day of May, 19 35

WITNESSES:

IDAHO POWER COMPANY
By James A. Brown (SEAL)
Vice-President.

NATIONAL SURETY CORPORATION (SEAL)

By F. G. Ensign (SEAL)
Its Attorney-in-Fact
F.G. Ensign

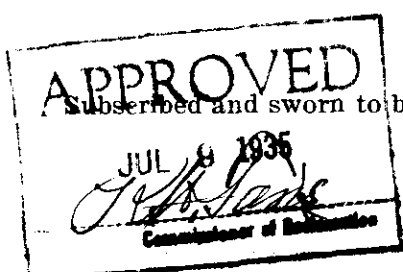
STATE OF IDAHO, }
County of _____ } ss:

Countersigned

By F. G. Ensign
of Resident Agent and

_____ of _____ whose names
are subscribed to the within and foregoing obligation as sureties thereto, each being duly sworn,
upon oath for himself deposes and says:

That he is a resident and freeholder of the State of Idaho, and that he is worth the sum named
in said obligation, to wit, \$ _____, over and above all his debts and liabilities, exclusive of prop-
erty exempt from execution.



Subscribed and sworn to before me this _____ day of _____, 19 _____

18107

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 18107

Date.....May 25, 1937.....

GOODING LEADER
Gooding, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks
prior to.....June 22, 1937...../.....in its issues of May 27 to June 24, both inclusive.....
to be paid by the applicant,.....Idaho Power Company, 1220 Idaho St.,
.....Boise, Idaho.....

to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

18107

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

Notice is hereby given that at 11 o'clock A.M. on the 23th day of June, 1937, at Boise, County of Ada State of Idaho, before M. E. Hughes, Notary Public, 1220 Idaho Street, Boise, Idaho proof will be submitted of the completion of works for the diversion of 300 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. 18,107, heretofore issued by the Commissioner 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 conducting to the place of use, in accordance with the plans accompanying the application for such permit, is 300 cubic feet per second.

3. The use to which said water has been applied is in the production of electric energy ~~purposes~~ and the amount applied to beneficial use is 300 cubic feet per second.

4. The place where said water is used is at Lower Salmon Falls Power Station, in Lot 7 of Section 2, in Township 7 South, of Range 13 East B.M., in Gooding County, Idaho.

5. The date of priority which said user is prepared to establish is March 20, 1935

18107 R. W. FARRIS

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 18107

Date May 25, 1937

TWIN FALLS DAILY NEWS
Twin Falls, Idaho

DEAR SIR:

Enclosed you will find notice for publication ~~to be published daily in issues of May 27 to June 26, both inclusive, prior to~~ ^{to be published daily in issues} ~~of May 27 to June 26, both inclusive, prior to~~ ^{June 23, 1937} ~~prior to~~ June 23, 1937, the date set for proof, the expense of the publication to be paid by the applicant, Idaho Power Company, 1220 Idaho St.

Boise, Idaho

to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

R. W. FARIS

Commissioner of Reclamation

18107

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

Notice is hereby given that at 11 o'clock A.M. on the 29th
day of June, 1957, at Boise, County of
Ada State of Idaho, before M. E. Hughes, Notary Public, 1220 Idaho St.,
Boise, Idaho
proof will be submitted of the completion of works for the diversion of 500
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. 18,107, heretofore issued by the Commissioner 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 conducting to the place of use, in accordance with
the plans accompanying the application for such permit, is 500 cubic feet per second.

3. The use to which said water has been applied is in the production of electric energy
~~irrigation and domestic~~
~~purposes~~ and the amount applied to beneficial use is 500 cubic feet per second.

4. The place where said water is used is at Lower Salmon Falls Power Station, in
Lot 7 of Section 2, in Township 7 South, of Range 15 East B.M., in Gooding County,
Idaho.

5. The date of priority which said user is prepared to establish is March 20, 1955

E. W. FARIS

18107

18107

May 22, 1935

Re: Application No. 25299

MR. E. C. KIERSTED, Special Agent
Idaho Power Company,
Boise, Idaho

Dear Mr. Kiersted:

This will acknowledge receipt of the affidavit of publication from the Wendell Irrigationist of Wendell, Idaho, showing that notice of the above application has been published the required number of times. The notice for publication was dated March 23rd, therefore, today is the last date for protest and since none have been filed, the application will be approved in the morning and a permit issued thereunder. As soon as the permit has been made a matter of record, it will be mailed to you with our office receipt for the amount of the fee which accompanied the application.

Very truly yours,

P. W. FAHIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH/rg

18107

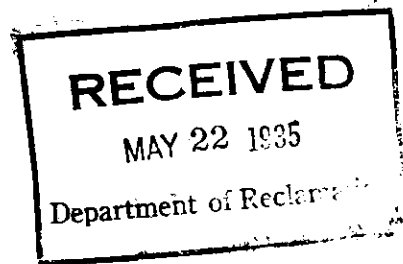


E. C. KIERSTED
SPECIAL AGENT

IDAHO POWER COMPANY

BOISE, IDAHO

81-15-1
May 21, 1935



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

Dear Mr. Faris:

Enclosed herewith is Affidavit of Publication of Notice
of Application to Appropriate Water, relating to Application No. 25299
for 300 cfs., Snake River, at our Lower Salmon Falls Power Station.

Today, I believe, is the last day for entry of protest,
etc.

Very truly,

E. C. Kiersted,

Special Agent.

ECK:LR
Enc.

18107

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 24, 1937

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

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published ^{daily} /at my expense in the Twin Falls Daily News of Twin Falls, Idaho, published in the county in which the works are situated, in its issues of May 27 to June 26, both inclusive.

IDAHO POWER COMPANY

A. M. Robinson
PRESIDENT & GENERAL MANAGER

(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.

Charles E. Smith
Engineer.

14107

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) May 24, 1957

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

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published ^{weekly} at my expense in the Gooding Leader of Gooding, Idaho, published in the county in which the works are situated, in its issues of May 27 to June 24, both inclusive.

IDAHO POWER COMPANY

K. M. Robinson
PRESIDENT & GENERAL MANAGER

(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.

Samuel E. Engle
Engineer.

18107

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise

Permit No. 18107

May 23, 1935

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 on or before July 22 1935 conditioned upon faithfully carrying to completion the works of diversion as specified in said permit and in the application therefor.

B. H. FARIS
Commissioner of Reclamation

18107

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 18107

Boise, Idaho, May 23, 1935

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

IDAHO POWER COMPANY
Boise, Idaho

18107
R. W. FARIS
Commissioner of Reclamation.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

NOTICE OF APPLICATION TO APPROPRIATE WATER FOR POWER PURPOSES IN ACCORDANCE WITH THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED.

NOTICE IS HEREBY GIVEN That on the 20th day of March, 1935, IDAHO POWER COMPANY whose address is Boise, Ada County, Idaho, made Application No. 25299 to appropriate 300 cubic feet per second of the waters of Snake River, a tributary of Columbia River, for power purposes.

That the point of diversion of said water is: N. 83 degrees 21' E. 1298.7' distant from the SW corner of Section 2, T. 7 S., R. 13 E., B. M., and is in Lot 7 of Section 2, T. 7 S., R. 13 E., B. M., County of Gooding.

That the point of use of said water is: At existing power plant in Lot 7, of Section 2, T. 7 S., R. 13 E., B. M.

That the point of return of said water is: Water is to be returned to Snake River at power plant in Lot 7, Section 2 T. 7 S., R. 13 E., B. M.

That any protests against the approval of this application should be filed in the Department of Reclamation within sixty (60) days of the date of this notice; such protest shall state the name and address of the protestant and shall clearly set forth his objections to the approval of the said application.

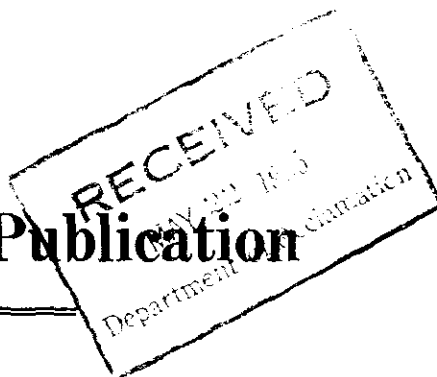
DATED This 23rd day of March, 1935.

R. W. FARIS,
Commissioner of Reclamation
Date of first publication: April 4, 1935
Date of last publication: April 18, 1935
Last date for protest: May 22, 1935.

Service of the foregoing, by copy, is hereby admitted this 26th day of March, 1935.

IDAHO POWER COMPANY
Applicant.
E. C. KIRSTED,
Agent.

Affidavit of Publication



State of Idaho, County of Gooding—ss.

18107

Alvin H. Reading being duly sworn, says that he

is of lawful age and is the Printer of THE WENDELL IRRIGATIONIST,

a weekly newspaper of general circulation published at Wendell, in the Coun-

ty of Gooding, State of Idaho; that the attached printed copy hereto annexed

was published in the WENDELL IRRIGATIONIST, in the regular edition

thereof and not in a supplement, for three consecutive weeks, com-

mencing on the 4th day of April 1935

and ending on the 18th day of April 1935

Alvin H. Reading

Printer.

Subscribed and sworn to before me this 18th day of April 1935

[Signature]

Notary Public, in and for the County of Gooding

State of Idaho

My commission expires 7-1-1935

18107

March 25, 1935

18107

Re: Application No. 25299
Idaho Power Company

MR. E. C. KIERSTED
Idaho Power Company,
Boise, Idaho

Dear Mr. Kiersted:

We are enclosing herewith notice in duplicate for publication, which has been prepared in accordance with the provisions of Section 41-203, Idaho Code Annotated, in connection with the above application to appropriate 300 cubic feet of water per second from Snake River in Gooding County, Idaho.

Will you kindly acknowledge service upon both copies of the notice and cause one to be published in some newspaper of general circulation in Gooding County, and return the other to this office for our files. This notice should be published once a week for 3 consecutive weeks and the first insertion should appear in the newspaper within 21 days from this date.

In the event that any protests are filed against the approval of this application, you shall be given due notice of the time and place set for hearing. The hearing, should there be one, would not be held until after the last date for protest which will be May 22, 1935.

Very truly yours,

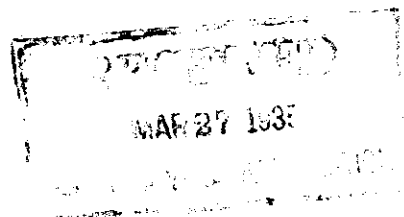
R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLM:RC
Encl.

18107

STATE OF IDAHO
DEPARTMENT OF RECLAMATION



18107

NOTICE OF APPLICATION TO APPROPRIATE WATER FOR POWER PURPOSES IN ACCORDANCE WITH
THE PROVISIONS OF SECTION 41-203, IDAHO CODE ANNOTATED

NOTICE IS HEREBY GIVEN That on the 20th day of March, 1935, IDAHO POWER COMPANY whose address is Boise, Ada County, Idaho, made Application No. 25299 to appropriate 300 cubic feet per second of the waters of Snake River, a tributary of Columbia River, for power purposes.

That the point of diversion of said water is: N. 83°21' E. 1298.7' distant from the SW corner of Section 2, T. 7 S., R. 13 E., B. M., and is in Lot 7 of Section 2, T. 7 S., R. 13 E., B. M., County of Gooding.

That the point of use of said water is : At existing power plant in Lot 7, of Section 2, T. 7 S., R. 13 E., B. M.

That the point of return of said water is: Water is to be returned to Snake River at power plant in Lot 7, T. 7 S., R. 13 E., B. M.
/Section 2

That any protests against the approval of this application should be filed in the Department of Reclamation within sixty (60) days of the date of this notice; such protest shall state the name and address of the protestant and shall clearly set forth his objections to the approval of the said application.

DATED This 23rd day of March, 1935.

Commissioner of Reclamation

Date of first publication: 4-4-35
Date of last publication: 4-18-35
Last date for protest: 5-22-35

SERVICE of the foregoing, by copy, is hereby admitted this 26th day of March, 1935.

IDAHO POWER COMPANY

Applicant.

Agent.

18187