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NOV 01 2010

DEPARTMENT OF
WATER RESOURCES

October 29, 2010

Michael Ciscell
Idaho Dept. of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

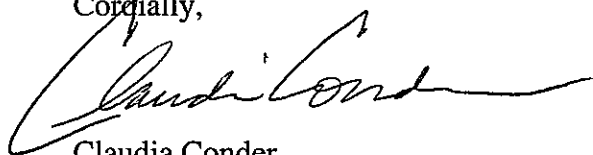
RE: Claim #13-4337 and #13-4338 Corrections to Points of Diversion and Places of Use

Dear Mr. Ciscell,

Please find enclosed two corrected statutory claims and associated maps for the above referenced claims which were originally filed in 1998. As we have discussed, there were errors in the original claims and these filings are being submitted with the intent to clarify and correct the points of diversions and places of use. The available aerial photography now available makes it possible to be more specific as to, in particular, the places of use. It appears that both claims filed in 1998 had unintended errors in them.

Thank you for your help in this matter. If you have any questions, please contact me at 801-220-2252 or by e-mail at Claudia.conder@pacificorp.com

Cordially,



Claudia Conder
Water Rights Administrator

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DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that PacifiCorp, successor in interest to Utah Power & Light Co.

(Name of Claimant)

Mailing Address: 1407 W. North Temple #110, Salt Lake City, UT 84116

Telephone No: 801-220-2252

Email: claudia.conder@pacificorp.com

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) January 1, 1910

A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Spring tributary to Bear River

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive)	
		(MM/DD)	(MM/DD)
Quantity <u>0.08</u>	Use <u>Domestic</u>	Period of Use From <u>01/01</u>	to <u>12/31</u>
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____

4. 0.08 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of _____ $\frac{1}{4}$, Govt. Lot _____
Sec. 26 Township 13S Range 40E B.M., Franklin County; additional points
of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

Water for domestic use is diverted from a spring located on the hill-
side west of the company homes by means of a concrete diversion box
and a 2 inch pipeline to company homes and the power house and office/
shop. The pipeline crosses the Bear River to the power house and shop.

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	40E	23															D		
13S	40E	26		D	D		D												

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.

Domestic use at company homes and powerhouse and office/shop

NOTE: Include here the type and number of stock watered: n/a

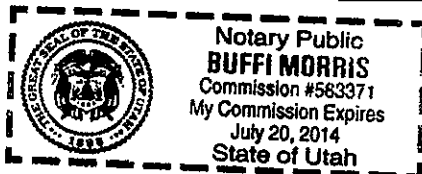
7. Remarks: Point of diversion is the same spring source as 13-893.
This claim is being filed to correct the POD and the POU shown on the
claim filed in 1998.
8. **Map** – Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of UTAH)
 County of SALT LAKE) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Charles L. ...
 Claimant's Signature (and title if claim is for an organization)
 WATER RIGHTS ADMIN-
 ISTRATOR FOR PACIFIC CORP

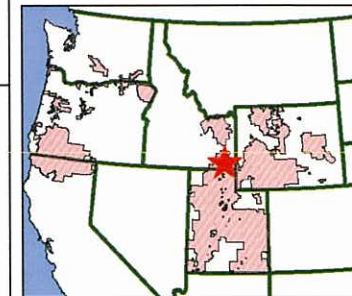
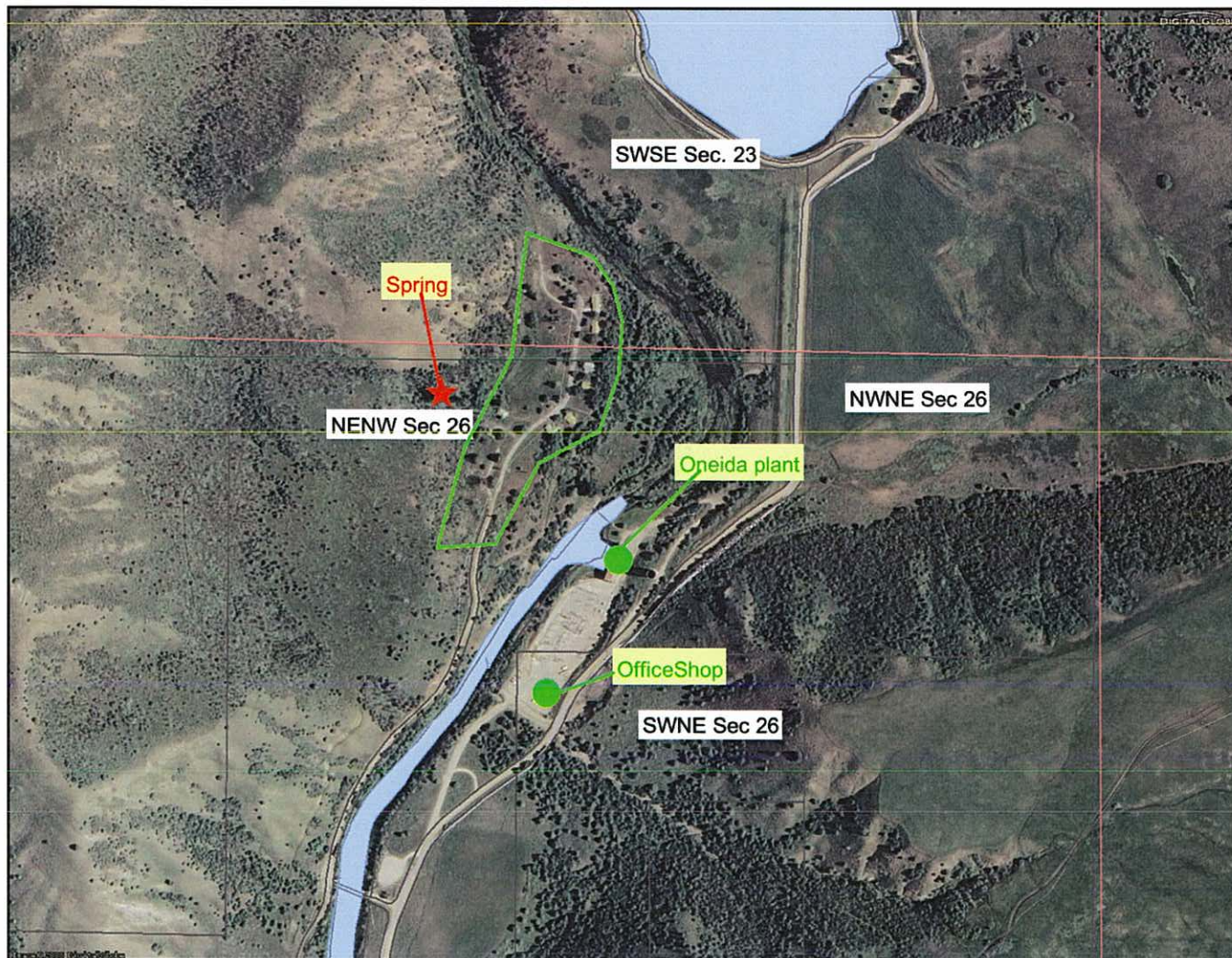
Sworn to before me this 20th day of October, 2010.



Buffi Morris
 Notary Public
 Residing at: Salt Lake County
 My commission expires: July 20, 2014

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Received by _____ Date _____
 Prelim. check by _____ Date _____
 Fee _____ Receipt # _____
 Receipt prepared by _____ Date _____
 Published in _____
 Publication dates _____
 Publication checked by _____ Date _____
 Exceptions filed by _____



Legend

- Towns
- Ocean
- Lakes
- Counties
- Sections
- ~ Wyoming Parcels Outline
- ~ Washington Parcels Outline
- ~ Utah Parcels Outline
- ~ Oregon Parcels Outline
- ~ Montana Parcels Outline
- ~ Idaho Parcels Outline
- ~ California Parcels Outline
- Cities
- States

0 900 1800 2700 ft.



Scale: 1:9,313

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Claim No. 13-4338

NOV 01 2010

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WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Oneida Reservoir/Bear River tributary to Great Salt Lake

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)	
Quantity <u>0.08</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr20</u>	to <u>Sept30</u>
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____
Quantity _____	Use _____	Period of Use From _____	to _____

4. 0.08 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 23 Township 13S Range 40E B.M., Franklin County; additional points of diversion, if any: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

Water for irrigation is diverted by means of steel intake in Oneida Reservoir at what is referred to as the "intake structure" then conveyed through a steel flowline and steel penstock. Water is conveyed off the penstock via a 2 inch pipeline to irrigate lawns near plant and and company homes. The pipeline crosses under the Bear River to the west for irrigation on the west side of the river.

Water for irrigation of lawns at picnic area are diverted at the same location then pumped and conveyed by 2 inch pipeline to the site.

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	40E	23																X	1.5
13S	40E	26		X															2.5

TOTAL ACRES 4

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.

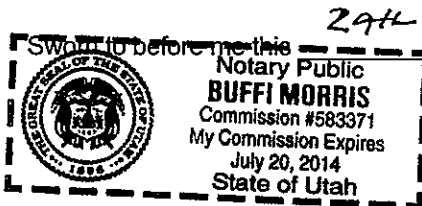
NOTE: Include here the type and number of stock watered: n/a

7. Remarks: This claim is being filed to correct the POD and the POU shown on the claim filed in 1998.
8. **Map** – Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Utah)
 County of Salt Lake) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

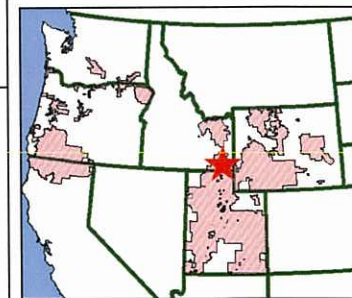
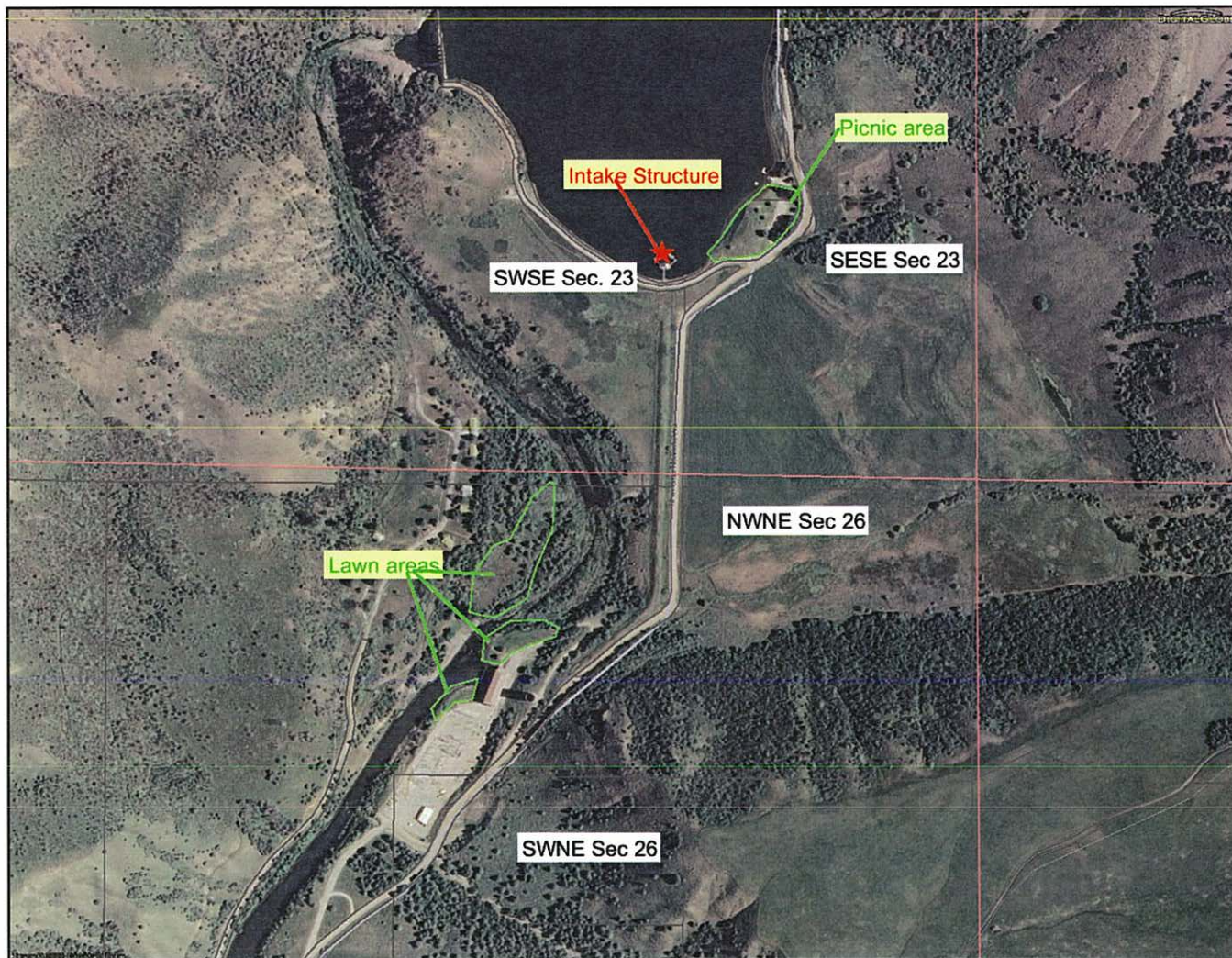
WATER RIGHTS ADMINISTRATOR
Claudia Gordon for PACIFICORP
 Claimant's Signature (and title if claim is for an organization)



Buffi Morris
 Notary Public
 Residing at: Salt Lake County
 My commission expires: July 20, 2014

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 Prelim. check by _____ Date _____ Publication dates _____
 Fee _____ Receipt # _____ Publication checked by _____ Date _____
 Receipt prepared by _____ Date _____ Exceptions filed by _____



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