Form No.42-1409-1 (Internet 12/08)

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION OF RIGHTS TO THE USE OF WATER FROM THE COEUR D'ALENE-SPOKANE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576
Ident. Number 95 - 9119
Date Received: 1-29-2014
Receipt No: CO98250
Received By: CA
Claim amount: $50.00

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) **Avista Corporation (f/k/a The Washington Water Power Company)** Phone (**509**) **489-0500**

   Mailing Address **1411 East Mission,** (Street or Box) **Spokane,** (City) **Washington** (State) ZIP **99220-3727**

2. Date of Priority (Only one (1) per claim) **May 1, 1941** (Month Day Year (YYYY))

3. Source of water supply (Check one) Ground Water ( ) or Other (**X**) **Those portions of the St. Joe, St. Maries, Coeur d'Alene and Spokane Rivers, and Coeur d'Alene Lake and all connected and tributary waters over which a water right under State law can be acquired.**

4. a. Location of Point of Diversion is: Township **50 N**, Range **5W**, Section **4**, **SE**, 1/4 of **NE**, 1/4 Govt. Lot _____, BM., County of **Kootenai**

   Parcel (PIN) no. **50N05W-04230**

   Additional points of diversion if any: **T50N, R5W, SEC. 3**

   If available, GPS Coordinates **116°57' 39.95" W, 47°42' 32.71" N**

   b. If instream flow, beginning point of claimed instream flow is:

   Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of _____

   ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4 Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines. Headgates ,Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. **See Attachments A and C and all Exhibits thereto**

6. Water is claimed for the following purposes:

		(both dates are inclusive MM-DD)		(cfs)		(acre feet)
For	**Storage for electrical power generation**	purposes from **01/01**	to **12/31**	amount _____	or	**60,600 af***
For	_____	purposes from _____	to _____	amount _____	or	_____
For	_____	purposes from _____	to _____	amount _____	or	_____
For	_____	purposes from _____	to _____	amount _____	or	_____

7. Total quantity claimed (a) _____ (cfs) and/or (b) **60,600 af (*See* Attachment B for further details)** (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) **Storage for hydro generation. The generation facilities have a 50' design head and a 14750 kw FERC authorized & nameplate capacity.**

9. Description of place of use:
   a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
   b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols. ***See* Exhibit A-6**

			NE				NW				SW				SE				Totals
Twn	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Parcel (PIN) no(s). _____ Total number of acres irrigated _____

10. In which county (ies) are lands listed above as place of use located? **Kootenai and Benewah (*See* Attachment A)**

11. Do you own the property listed above as place of use? Yes ( ) No (**X**)
    If your answer is No, describe in Remarks below the authority you have to claim this water right.

    ***See* Attachment C. Avista has a perpetual right, granted by the State of Idaho, to occupy and use that portion of the bed of the Spokane River lying within the area described in the patent issued to Frederick Post in 1894.**

12. Describe any other water rights used at the same place and for the same purposes as described above.

See IDWR Water Right Nos. 95-9115, 95-4518, 95-8003 and Attachment C or None ( )

13. Remarks: ***See* Attachments A, B and C and all Exhibits thereto**

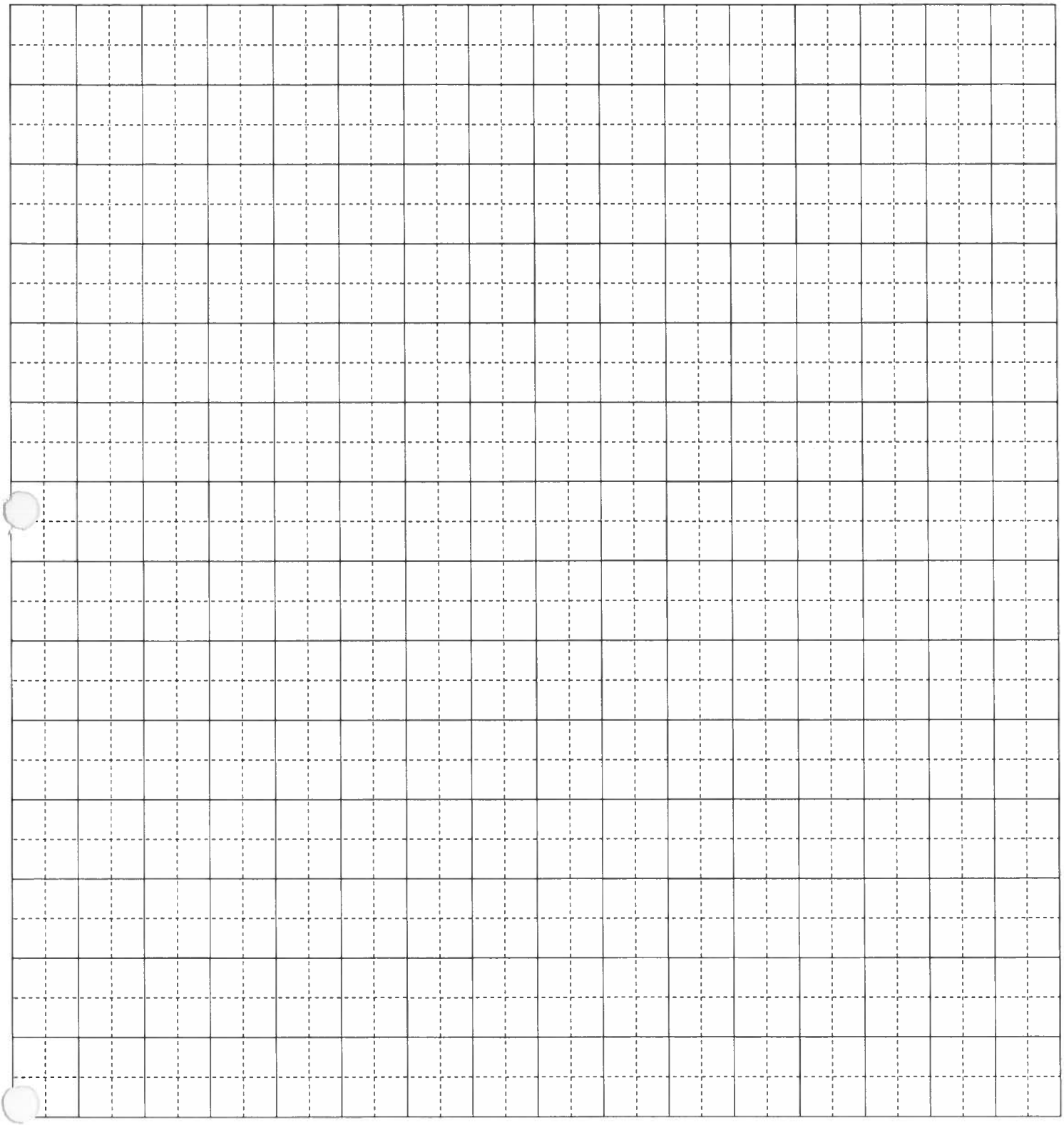
Last Name **Avista Corporation** Identification No. _____

This Notice of Claim to a Water Right applies to that portion of the acre feet claimed over which a water right under State law can be acquired. *See* Attachment B for further details

Map of Project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

See Attachment A and all Exhibits thereto

Scale: 2 Inches equals 1 mile



Last Name **Avista Corporation** Identification No. _____

14. Basis of Claim (Check One) Beneficial Use (X)* Posted Notice ( ) License ( ) Permit ( ) Decree ( )

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number **95-9119**

15. Signature(s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Coeur d'Alene-Spokane River Basin Adjudication." (b.) I/We do (X)
do not ( ) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: **Attachment A and Exhibits A-1 through A-6; Attachment B and Exhibits B-1; and Attachment C and Exhibits C-1 through C-12**

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____
_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Sr. Vice President (Title) of **Avista Corporation** (Organization),

that I have signed the foregoing document in the space below as

Sr. Vice President (Title) of **Avista Corporation** (Organization),

d that the statements contained in the forgoing document are true and correct.

Signature of Authorized Agent _____ Date 1/27/14

Title and Organization **Sr. Vice President of Avista Corporation and President of Avista Utilities**

16. Notice of Appearance:

Notice is hereby given that I, **William J. Schroeder**, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date 1/28/14

Address **Paine Hamblen LLP**
717 West Sprague Avenue, Suite 1200
Spokane, Washington 99201-3505

Last Name **Avista Corporation** Identification No. _____

* **See Attachment C for the full scope of the Claim.**