

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 21-07363

Priority: July 22, 1985

Maximum Diversion Rate: 75.00 CFS
Maximum Diversion Volume: 6,119.0 AF

It is hereby certified that PACIFICORP AN ORGEON CORP
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY UT 84116 has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated July 22, 1985; and has submitted Proof of
Beneficial Use on December 22, 1992; and a water right has been established as follows:

SOURCE

HENRYS FORK

Tributary: SNAKE RIVER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
POWER FROM STORAGE	01/01 to 12/31		6,119.0 AF
POWER	01/01 to 12/31	75.00 CFS	
POWER STORAGE	01/01 to 12/31		6,119.0 AF

LOCATION OF POINT(S) OF DIVERSION:

HENRYS FORK NE¼SE¼ Sec. 28 Twp 09N Rge 42E, B.M. FREMONT County

PLACE OF USE: POWER FROM STORAGE and POWER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 42E 28																	X

PLACE OF USE: POWER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N 42E 13					X	X	X	X									
09N 42E 14	X		X	X		X	X				X	X	X	X	X		
09N 42E 15				X			X	X	X	X		X	X	X	X	X	
09N 42E 21	X		X	X									X	X	X	X	
09N 42E 22	X				X	X	X				X	X					
09N 42E 23					X	X											
09N 42E 27						X	X				X						
09N 42E 28				X									X				

CONDITIONS OF APPROVAL

1. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

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2. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
3. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
4. The water right confirmed in this license for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this license and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this license.
5. The term of this water right shall run concurrently with Ashton Hydroelectric Project license P-2381-ID issued by the Federal Energy Regulatory Commission (FERC), which expires on 1/1/2028. The term shall automatically extend to run concurrently with any annual renewals of the project's FERC license. Prior to the issuance of a subsequent or new FERC license for the project, the Director may review the water right license and may issue an order canceling all or any part of the use, establishing a new term, or revising, adding or deleting conditions under which the water right may be exercised. The order shall take effect on the date the current term, as may be extended through annual renewals, expires. If the Director does not issue such an order, the term shall automatically extend to a length equal to the project's subsequent or new FERC license and any prior conditions on the water right license shall remain in effect.
6. Use of water under this right shall be non-consumptive.
7. This right does not constitute Idaho Public Utilities Commission or Federal Energy Regulatory Commission approval that may be required.
8. The place of use for Power Storage also includes Lot 1 (NENE), Lot 2 (SENE), Lot 3(SENE), Lot 4(NWSE), Lot 5(NWSE), Lot 6 (SWSW), Lot 8 (SWSW), Lot 7 (SWSE), Lot 9 (SWSE), 09N, 42E, Sec. 14; Lot 3(ESW), Lot 4 (ESW), Lot 2(SWSE), Lot 1(SESE), Lot 5(SESE), 09N, 42E, Sec. 15; Lot 1(SENE), Lot 2(NESE), Lot 3(SESE), Lot 4(SESE), 09N, 42E, Sec. 21; Lot 2(NENW), Lot 3(NENW), Lot 4(SWNW), Lot 5(SWNW), Lot 7(SWSW) 09N, 42E, Sec. 22; Lot 1(NWNW) 09N, 42E, Sec. 23; Lot 2(SWNW), 09N,42E, Sec. 27.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 16th day of September, 2014.


for GARY SPACKMAN
Director