

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

RECEIVED

MAR 26 2007

Department of Water Resources
Eastern Region

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

1. Name of water right holder PacifiCorp, formerly Utah Power & Light Company
2. Mailing address 1407 W. North Temple #110, Salt Lake City, UT 84116
3. The right was obtained or is evidenced by:
- a. Decree to Utah Power & Light Company in Case of Woodville Canal Company
vs. Clark and Edwards Canal & Irrig Dated June 25, 1929 in _____
(Name of Court)
Court, _____ County _____ of _____ Fully describe decree
Also- Partial Decree, Case No. 39576 in the Snake River Basin Adjudication, District Court of
the Fifth Judicial District of the State of Idaho, in and for the County of Twin Falls
- b. License No. _____ c. Claim No. _____
- d. SRBA No. 21-12914
4. Source of water Henry's Fork tributary to Snake River
(Name of stream or source)
5. Date of priority of right 12/20/1913
6. Description of Right:
amount 700 cfs for power purposes from Jan. 01 to Dec. 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion SW 1/4 NE 1/4 of Sec. 1 Twp. 7 N Rge. 40 E County Fremont

8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total Acres _____

9. Give the last date when water was put to beneficial use June 25, 2002
Length of extension of time requested 5 yrs years, or until June 25, 2012 (Date)
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use PacifiCorp last operated the St. Anthony plant on June 25, 2002 and discontinued operation due to an equipment failure. Since that time, PacifiCorp has conducted feasibility studies, including decommissioning, disposition of the project by sale, repairing equipment and continuing to operate. While there are no final determinations to date, PacifiCorp is requesting an extension of time to further evaluate. PacifiCorp continues to meet its obligations for irrigation withdrawals and fish salvage as required by contract and FERC license requirements.
See attached letter.

The information contained in this application is true to the best of my knowledge.

(Signature of Applicant)

Subscribed and sworn to before me this 22 day of March, 20 07



Notary Public
SHAWN H. GRAFF
1407 W North Temple
Salt Lake City, Utah 84116
My Commission Expires
January 29, 2008
State of Utah

(Notary Public)

My commission expires Jan, 29, 2008

Residing at Salt Lake County, Utah

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVED said application subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before July 1, 2012.

Signed this 8th day of June, 20 07

Chief, Water Allocation Bureau Jeff Peppersack

FOR DEPARTMENT USE ONLY

Date Received _____ FEE Received by SC Date 3/27/07 Receipt # E032716
Preliminary ☒ by _____ Publication prepared by _____ Pub. approved by _____ Date _____
Published in Herald Chronicle Dates Published 4/11/07 & 4/18/07
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - APPROVAL / DENIAL By _____

SCANNED
APR 05 2007