

**STARTING
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FILE**

Claim No. 96-04565

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

SEP 6 2000

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 the 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 Avista Corporation, formerly known as The Washington Water Power Company

(Name of Claimant)

P.O. Box 3727, Spokane, Washington
(Mailing Address)

99220-3727

(Zip Code)

Telephone No: 509-489-0500

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) August 11, 1952
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)

Clark Fork River

tributary to Pend Oreille Lake, Pend Oreille River, and Columbia 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 1.557 af Use Power Generation: dead storage in reservoir for Cabinet Gorge

Period of Use From 01/01 to 12/31

Quantity 1.070 af Use Live storage for power generation at Cabinet Gorge

Period of Use From 01/01 to 12/31

Quantity 2.450 af Use POWER STORAGE

Period of Use From 1/1 to 12/31

Quantity 2.450 af Use POWER FROM STORAGE

Period of Use From 1/1 to 12/31

4. 2.623 af 2.623 af CU TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is

1/4 of
New CU

1/4 of
SE CU

1/4, Govt. Lot

Sec. X and 27 Township 55 North
additional points of

Range 3 East

B.M., Bonner

County; diversion, if

See the attached Exhibit 1 and Exhibit 2. Exhibit 1 is sheet 17 of 17 of Exhibit F and Exhibit 2 is sheet 1 of 4 of Exhibit G to the application for new license for Cabinet Gorge, Project No. 2058 submitted to FERC.

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

This claim of water right is for the active (live) and dead storage for the Idaho part of the reservoir for the Cabinet Gorge Project, FERC Project No. 2058. A small amount of the total reservoir for the Cabinet Gorge Project (approximately 2.5%) is located in the State of Idaho. The remainder of the 105,000 acre feet of water storage in the Cabinet Gorge reservoir is located in the State of Montana. This active part of the reservoir is used at any time for the generation of electric power at the Cabinet Gorge Project. The water was first stored in the reservoir for the Cabinet Gorge Project on August 11, 1952. The water of the Clark Fork River and the storage in the Cabinet Gorge reservoir has been used for the generation of electric power since 1952.

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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	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
55N	3	28																	
55N	3	27																	

TOTAL ACRES 100 acres **USES ARE POWER STORAGE + POWER FROM STORAGE FOR EACH TRACT IN PLACE OF USE MARKED "P" (STOR)** cw

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.
Approximately 83,616 acre feet is called dead storage, which remains continuously in the Cabinet Gorge reservoir.
Approximately 21,384 acre feet of water in the Cabinet Gorge reservoir is used to generate electric power whenever such power is needed. Of these amounts, 1,550 acre feet, or approximately 2.5%, of the water stored as part of the dead storage is located in the State of Idaho on the Clark Fork River, and approximately 2,070 acre feet of the active or live storage of the Cabinet Gorge reservoir is located in the State of Idaho and is utilized for the generation of electric power.
2090 cw 535 cw

NOTE: Include here the type and number of stock watered:

7. Remarks:

The stored waters described above have been utilized since the Cabinet Gorge reservoir was first filled commencing on August 11, 1952. A map showing the location of the Cabinet Gorge Hydroelectric Project and that part of the Cabinet Gorge reservoir located in the State of Idaho is attached. The stored water identified in Section 3 above is used for power generation under Water License Nos. 21783 (96-02179), 21828 (96-02180), and 30318 (96-02269).

8. Map -- Attach an 8 1/2 "x 11" 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 7 1/2 minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available. See attached Exhibits 1 and 2.

State of _____)
County of _____) 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 affiant's knowledge.

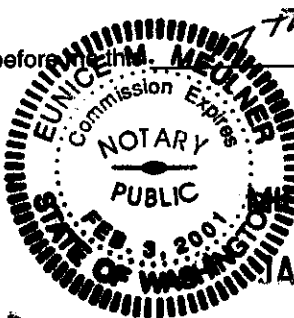
Avista Corporation

Edward H. Turner

Claimant's Signature (and title if claim is for an organization)

Edward H. Turner, Vice President and General Manager, Avista Utilities

Sworn to before me this 17th day of December, 1999



Eunice M. Meulner
Notary Public

Residing at Spokane, WA

My commission expires: 2/3/01

FOR DEPARTMENT USE ONLY

Received by cm

Date 12-20-99 Published

Prelim. check by _____ Date _____

Fee \$250.00 Receipt # N013390

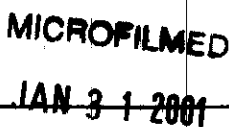
Receipt prepared by cm Date 12-20-99

Publication dates 4/6 + 13/00

Publication checked by cb Date 2/20/00

Exceptions filed by _____

BC ok 5/4/00 PR ok 4/26/00
LT ok 4/4/00 IS ok 4/20/00
TN ok 4/17/00



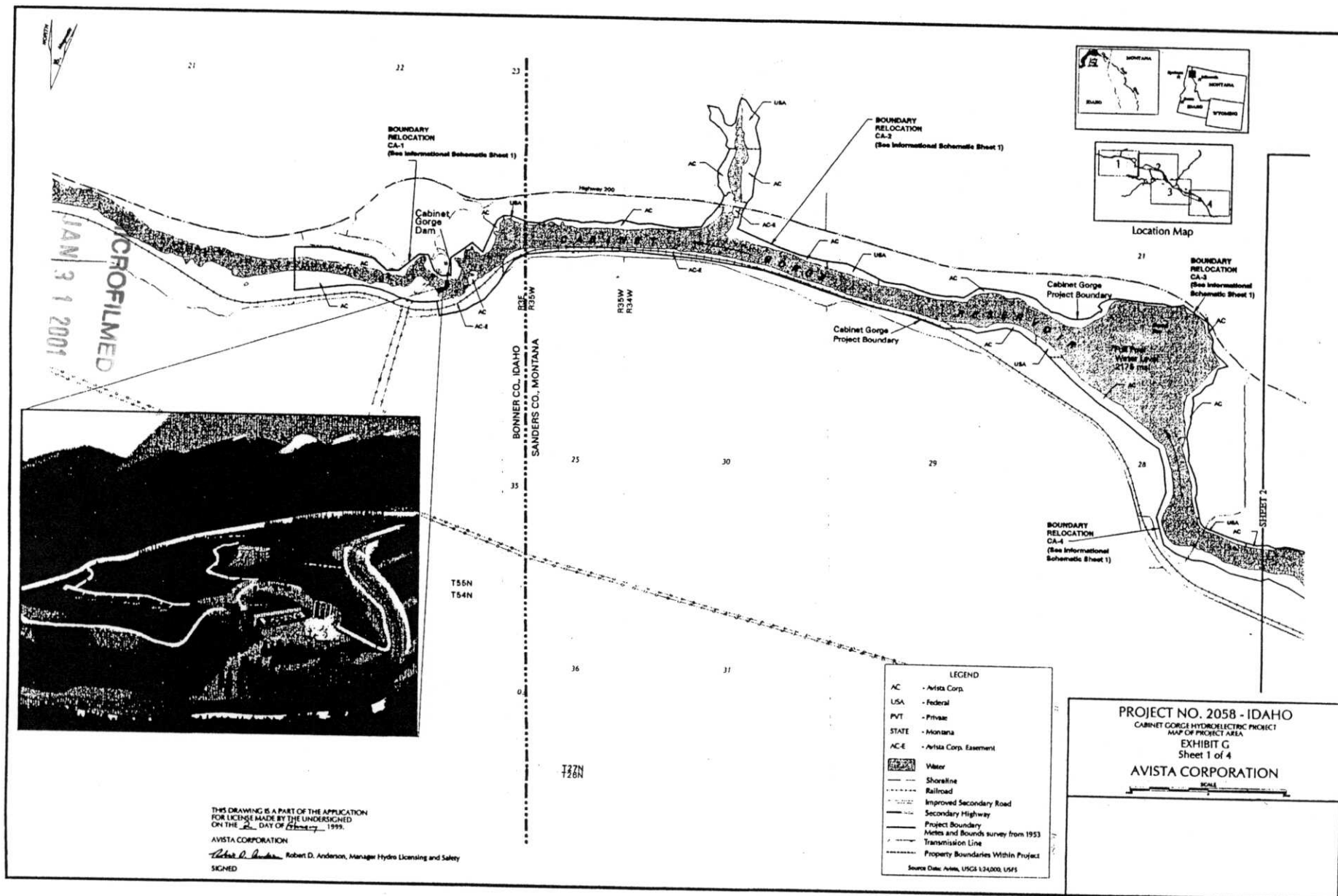
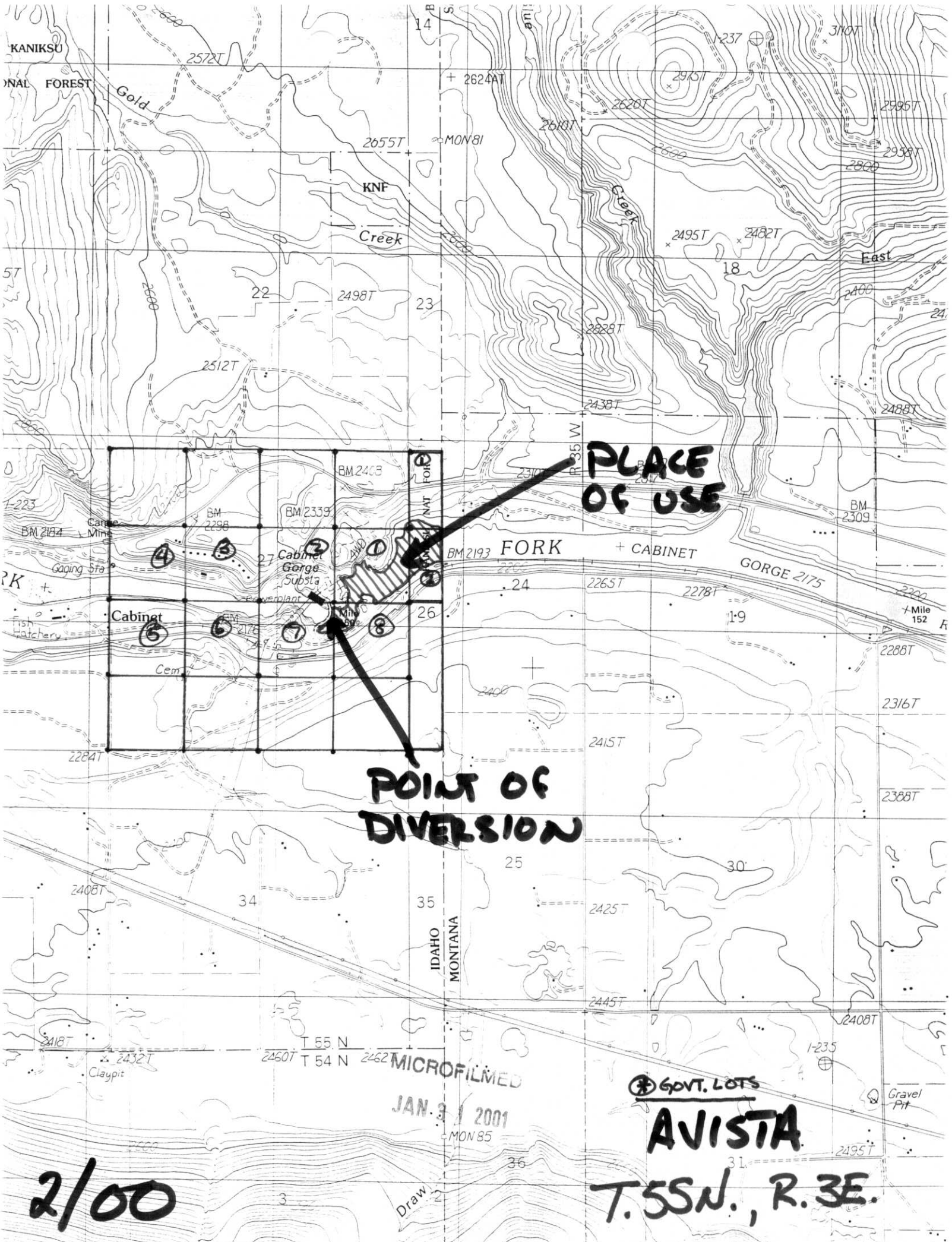


Exhibit 2



KANIKSU

NAL FOREST

57

1-223

PK

fish hatchery

2418T

2432T

Claypit

2600

3

Draw

2

3

36

31

2495T

Gravel Pit

1-235

2408T

2445T

2425T

2400

2415T

2400

2465T

2488T

2388T

2316T

2288T

1/2 Mile 152 F

GORGE 2175

+ CABINET

BM 2193

2265T

2278T

24

26

27

25

24

23

22

2512T

2498T

2655T

2610T

2620T

2915T

2938T

2960

2995T

3110T

237

2624AT

MON 81

KNF

Creek

Gold

2572T

2512T

2498T

2655T

2610T

2620T

2915T

2938T

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2995T

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State of Idaho

Department of State

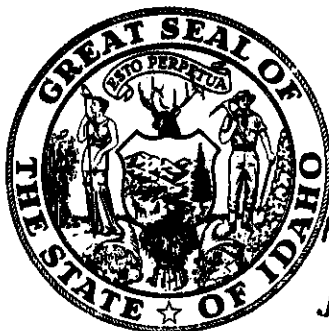
AMENDED CERTIFICATE OF AUTHORITY
OF
THE WASHINGTON WATER POWER COMPANY
File Number C 4651

RECEIVED
DEC 20 1999
IDWR/North

I, PETE T. CENARRUSA, Secretary of the State of the State of Idaho, hereby certify that an Application for Amended Certificate of Authority to do business in this State, duly executed pursuant to the provisions of the Idaho Business Corporation Act, has been received in this office and is found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Amended Certificate of Authority to reflect the name change from **THE WASHINGTON WATER POWER COMPANY** to **AVISTA CORPORATION** and attach hereto a duplicate of the Application for such Amended Certificate.

Dated: January 5, 1999



MICROFILMED
By
JAN 31 2001

Pete T. Cenarrusa
SECRETARY OF STATE

[Signature]

APPLICATION FOR AMENDED CERTIFICATE OF AUTHORITY

(Instructions on back of application) JAN 5 11 11 AM '99

FILED



To the Secretary of State of the State of Idaho:

Pursuant to Section 30-1-1504, Idaho Code, the undersigned Corporation hereby applies for an amended certificate of authority to transact business in the State of Idaho and for that purpose submits the following statement. Complete only applicable items.

1. A Certificate of Authority was issued to the corporation by your office on _____ 19_____, authorizing it to transact business in the State of Idaho under the name of The Washington Water Power Company
2. Its corporate name has been changed to Avista Corporation
3. The name which it shall use hereafter in the State of Idaho is Avista Corporation
4. It has changed its jurisdiction of incorporation, without a change of corporate identity to: _____

Dated: December 18, 1998

The Washington Water Power Company
(Corporation Name)

By _____

Its Vice President & Corporate Secretary
(specify capacity of signer)

MICROFILMED

JAN 31 2001

Customer Acct #:

(If using pre-paid account)

SECRETARY OF STATE
Secretary of State use only

01/05/1999 09:00
CK: 130012533 CT: 30212 MH: 175658

1 @ 30.00 = 30.00 AMEND CERT # 3
1 @ 20.00 = 20.00 EXPEDITE C # 4

4651

7/13/62
State of Idaho

RECEIVED

DEC 20 1999

License and Certificate of Water Right

96-02269

IDWR/North

Water License No. 30318 Priority November 3, 1961 Amount 700 c.f.s

THIS IS TO CERTIFY that THE WASHINGTON WATER POWER COMPANY

of Spokane, Washington, made application for a permit to appropriate the public waters of the State of Idaho, dated November 3, 1961; that Permit No. 30318 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 700 second feet, was issued thereunder on June 27, 1962, showing that said works were completed on the 11th day of February, 1962; and that on the 11th day of February, 1962 THE WASHINGTON WATER POWER COMPANY

of Spokane, State of Washington, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Clark Fork River

a tributary of Columbia River for the purpose of hydroelectric power & energy, under Use Permit No. 30318 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses, at Page 7309, on the 27th day of June, 1962.

The right hereby confirmed dates from November 3, 1961.

The Point of Diversion is located Lots 2 & 7 in the 1/4 1/4, Sec. 27, Twp. 55 N, R. 3 E., B.M. Bonner 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 700 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
55 N.	3 E.	27	Lots 2 & 7	Point of use - hydroelectric power & energy	

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 State Reclamation Engineer, affixed at Boise, Idaho, this 27th day of June, 1962.

Ralph W. Thomas
Deputy State Reclamation Engineer.

MICROFILMED

JAN 31 2001

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. 30318
To THE WASHINGTON WATER POWER CO.
Spokane, Washington
Source of Supply Clark Fork River
Bonner County
Amount 700 Sec. Ft.
Point of Diversion Lots 2 & 7, Sec. 27,
T. 55 N., R. 3 E., B. M.
Place of Use Lot 2 and 7, Sec. 27,
T. 55 N., R. 3 E., B. M.
Purpose hydroelectric power & energy
Date of Priority November 3, 1961
Recorded June 27, 1962
in Book 12 of Licenses, Page 7309

MICROFILMED
JAN 31 2001

96 22C9

7/13/62
State of Idaho

RECEIVED

DEC 20 1999

License and Certificate of Water Right

96 - 02180

IDWR/North
Water License No. 21828 Priority November 7, 1950 Amount 10,000 c.f.s.

THIS IS TO CERTIFY that THE WASHINGTON WATER POWER COMPANY

of Spokane, Washington, made application for a permit to appropriate the public waters of the State of Idaho, dated November 7, 1950; that Permit No. 21828 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 10,000 second feet, was issued thereunder on July 13, 1956, showing that said works were completed on the 25th day of November, 1955; and that on the 27th day of November, 1961 THE WASHINGTON WATER POWER COMPANY

of Spokane, State of Washington, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Clark Fork River

a tributary of Columbia River for the purpose of Hydroelectric power & energy, under Use Permit No. 21828 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses, at Page 7307, on the 27 day of June, 1962.

The right hereby confirmed dates from November 7, 1950.

The Point of Diversion is located Lots 2 & 7 in the --1/4 -- 1/4, Sec. 27, Twp. 55 N, R. 3 E., B.M. Bonner 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 10,000 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
55 N	3 E.	27	Lots 2 & 7 - point of use - Hydroelectric power and energy		

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 State Reclamation Engineer, affixed at Boise, Idaho, this 27th day of June, 1962.

Ralph Thomas
Deputy State Reclamation Engineer.

MICROFILMED

JAN 31 2001

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No. 21828
To The Washington Water Power Co.
Spokane, Washington
Source of Supply Clark Fork River
Borner County
Amount 10,000 Sec. Ft.
Point of Diversion Lots 2 & 7, Sec. 27
T. 55 N., R. 3 E., B. M.
Place of Use Lots 2 & 7, Sec. 27
T. 55 N., R. 3 E., B. M.
Purpose hydroelectric power & energy
Date of Priority November 7, 1950
Recorded June 27, 1962
in Book 12 of Licenses, Page 7307

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JAN 31 2001

IM 3-1-59
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DEC 20 1999

IDWR/North

7/13/62
State of Idaho

License and Certificate of Water Right

7-18-62 22
96-02179

Water License No. 21783 Priority September 7, 1950 Amount 25,000 c.f.s.

THIS IS TO CERTIFY that THE WASHINGTON WATER POWER COMPANY

of Spokane, Washington, made application for a permit to appropriate the public waters of the State of Idaho, dated September 7, 1950; that Permit No. 21783 was issued under said application; that Certificate of Completion of Works, with a carrying capacity of 25,000 second feet, was issued thereunder on July 13, 1956, showing that said works were completed on the 25th day of November, 1955; and that on the 27th day of November, 1961 THE WASHINGTON WATER POWER COMPANY

of Spokane, State of Washington, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of a right to the use of the waters of Clark Fork River

a tributary of Columbia River for the purpose of hydroelectric power & energy, under Use Permit No. 21783 of the Department 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 State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses, at Page 7308, on the 27 day of June, 1962.

The right hereby confirmed dates from September 7, 1950.

The Point of Diversion is located Lots 2 and 7

in the -1/4 - 1/4, Sec. 27, Twp. 55 N, R. 3 E, B.M. Bonner 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 25,000 cubic feet per second.

Description and location of use:

Twp.	Range	Section	Forty-Acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
55 N	3 E.	27	Lots 2 & 7 - Point	of Use - for hydroelectric power and energy purposes	

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 State Reclamation Engineer, affixed at Boise, Idaho, this 27th day of June, 1962.

Ralph Thomas
Deputy State Reclamation Engineer.

MICROFILMED
JAN 31 2001

State of Idaho

LICENSE AND CERTIFICATE
OF WATER RIGHT

Water License No.	21783
To	The Washington Water Power Co.
	Spokane, Washington
Source of Supply	Clark's Fork River
	Bonner County
Amount	25,000 Sec. Ft.
Point of Diversion	Lots 2 & 7
	Sec. 27, T. 55 N., R. 3 E.
Place of Use	Lots 2 & 7, Sec. 27,
	T. 55 N., R. 3 E., B. M.
Purpose	hydroelectric power & energy
Date of Priority	September 7, 1950
Recorded	June 27, 1962
in Book	12 of Licenses, Page 7308

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JAN 31 2001

**NOW
STARTING
RIGHT
SIDE OF
FILE**



State of Idaho

DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615

(208) 769-1450

Fax (208) 769-1454

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

APRIL 26, 2000

Mailed 9/6/00

AVISTA CORP
PO BOX 3727
SPOKANE, WA 992203727

Re: Claim No. 96-04565

Dear Claimants(s):

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have the information or evidence added at any time. Please refer to the claim identification number when corresponding with the office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Sincerely,

ROBERT G. HAYNES, P. E.
Manager, Northern Regional Office

RGH:db

Enclosure

MICROFILMED

JAN 31 2001

Ball, Dianne

From: CHARLES CORSI [ccorsi@IDFG.STATE.ID.US]
Sent: Thursday, March 30, 2000 12:04 PM
To: dball@idwr.state.id.us
Subject: re: perweek1.txt

Dianne -

No significant concerns with the Boyes water right application. The Avista claim is presumably for their 1952 water right, which would seem to imply business as usual. If that's the case, no significant concerns with that one either. Thanks, Chip

----- Original Text -----

From: "Ball, Dianne" <dball@idwr.state.id.us>, on 3/29/00 1:50 PM:

Greetings, gentlemen.

Gregg, please note the Water Right applications Nos. 81-07183 for Callaway, and 81-07184 for Selway Inn Inc., and may we please have your comments by no later than April 24th on these. Thanks very much.

Chip, will you please note Water Right application No. 95-09043 for Boyes. May we please have your comments on this one by no later than April 24th. Thank you very much.

You might also want to note the CLAIM TO A WATER RIGHT No. 96-04567 from Avista. Exceptions to a claim may be filed with us, although as I understand it, they are handled a little differently from Water Right applications. Any questions, you can contact Al Beardslee at this office (208) 769-1450, or by e-mail at <mailto:abeardsl@idwr.state.id.us>

<http://www.idwr.state.id.us/info/water/rights/perweek1.txt>
<<perweek1.txt.url>>

MICROFILMED

JAN 31 2001

AFFIDAVIT OF PUBLICATION

State of Idaho

ss.

County of Bonner,

Sherilyn Plunk being first duly sworn on oath
deposes and says that he/she is Book Keeper
of the Bonner County Daily Bee, a newspaper printed and
published at Sandpoint, Bonner County, Idaho; that the
said newspaper has been continuously and uninterruptedly
published in said Bonner County during a period of 12
months prior to the first publication of the hereto attached
notice of publication in the case of:

Claims to Water
Rights

as it was published in the regular and entire issue of the
said paper for a period of 2 consecutive weeks,
commencing on 6 day of April, 1900
and ending on the 13 day of April, 1900
and that said notice was published in said newspaper.

On this 13 day of April in the year
of 2000, before me, a Notary Public, personally
appeared Sherilyn Plunk
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first
duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same

Carolyn L. Inye
Notary Public for Idaho

Residing at Sandpoint

My commission expires: 7/00

RECEIVED

MAY - 4 2000

R/North

NOTICE OF CLAIMS

TO WATER RIGHT

The following claim(s) have been
filed on water rights created by
diversion and beneficial use:

96-04565

AVISTA CORP
PO BOX 3727
SPOKANE, WA 992203727
Source: CLARK FORK RIVER
Tributary: PEND OREILLE LAKE
Diversion Pt: NWSE Sec 27 T 55N
R 03E in BONNER County.
Use: POWER STORAGE

(2625.00 AF)
POWER FROM STORAGE

(2625.00 AF)
Total Diversion: (2625.00 AF)

Claimed Priority: 8/11/1952

In: BONNER County

T55N R03E S26 Lot 1 (NWNW)

Lot 2 (SWNW)

S27 Lot 1 (SENE)

Lot 8 (NESE)

Lot 7 (NWSE)

For additional information con-
cerning the property location, call
the Northern Regional Office at
(208) 769-1450.

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Northern
Region, 1910 Northwest Blvd.,
Suite 210, Coeur d'Alene, Idaho
83814.

KARL J. DREHER, Director

Legal SNP#1691

April 6, 13, 2000

MICROFILMED

JAN 31 2000

Proof of Publication

The Post Register

RECEIVED
APR 26 2000
IDWR/North

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

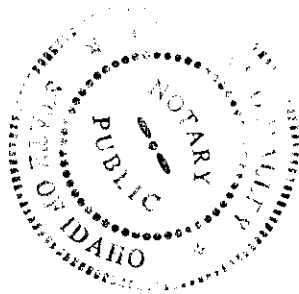
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 6th day of April, 2000, last publication having been made on the 13th day of April and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

S. Bob Bright

Subscribed and sworn to before me, this 19th day of April, 2000

Patricia O'Malley
Notary Public

My commission expires January 3, 2003



MICROFILMED

JAN 2 2000

**NOTICE OF CLAIMS
TO WATER RIGHT**

The Following claim(s) have been
filed on water rights created by diversion
and beneficial use:

96-04565

AVISTA CORP
PO BOX 3727
SPOKANE, WA 992203727
Source: CLARK FORK RIVER
Tributary: PEND OREILLE LAKE
Diversion Pt: NWSE Sec 27 T 55N R
03E in BONNER County.
Use: POWER STORAGE (2625.00 AF)
POWER FROM STORAGE (2625.00 AF)
Total Diversion: (2625.00 AF)
Claimed Priority: 8/1/1952
In: BONNER County
T55N R03E S26 Lot 1 (NWNW) Lot 2
(SWNW)
S27 Lot 1 (SENE) Lot 8 (NESE) Lot 7
(NWSE)

For additional information concerning
the property location, call the Northern
Regional Office at (208) 769-1450.
Exceptions to a claim may be filed
with the Director, Dept. of Water
Resources, Northern Region, 1910
Northwest Blvd., Suite 210, Coeur d'
Alene, Idaho 83814.

KARL J. DREHER, Director
Published: April 6, 13, 2000

ok

Post Register

GOOD MORNING!

**333 Northgate Mile
Idaho Falls, ID 83401
(208)522-1800
April 24, 2000**

RECEIVED
APR 26 2000
IDWR/North

IDAHO DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD, SUITE 210
COEUR D'ALENE, ID. 83814-2615

Account #

Published: APRIL 6, 13, 2000

COPY

Legal Notice: NOTICE OF CLAIMS 9604565

Please refer to Invoice # or Ad # 10073770

PO #

TOTAL COST: \$49.78

MICROFILMED
JAN 31 2001

RECEIVED

APR 20 2000

IDWR/North

The Idaho Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$87.00

Account Number/Trans. #		Identification	
100631 227286		NOTICE OF CLAIM TO WATER RIGHT	
Ordered By	P.O. Number	Rate	Run Dates
DIANNE BALL		TT	APRIL 6, 13, 2000
STATE OF IDAHO DEPT. OF WATER RESOURCES NORTHERN REGION, SUITE NO. 210 1910 NORTHWEST BLVD. COEUR D'ALENE, IDAHO 83814		Estimated Inches 28X2 LINES	Real Inches
		# Affidavits 1	Legal Number 6827

JANICE HILDRETH, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly ☐ single
☐ consecutive daily ☐ odd skip

insertion(s) beginning with the issue of
 APRIL 6, 2000
 and ending with the issue of
 APRIL 13, 2000

Janice Hildreth

STATE OF IDAHO)
) ss.
 COUNTY OF ADA)

On this 13TH day of APRIL in the year of 2000, before me, a Notary Public, personally appeared JANICE HILDRETH known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

MICROFILMED

Notary Public for Idaho

Residing at:

My commission expires:

Boise, Idaho

10/13/2001

LEGAL NOTICE

The Following claim(s) have been filed on water rights created by diversion and beneficial use:

96-04565

AVISTA CORP
 PO BOX 3727
 SPOKANE, WA 99220-3727

Source: CLARK FORK RIVER
 Diversion Pt. NWSE Sec 27 T 55N R 03E in BONNER County,
 Use: POWER STORAGE
 Total Diversion: 8/11/1952

Date Filed: 8/11/1952
 In: BONNER County

Lot 1 (NWNW) Lot 2 (SWNW)
 Lot 1 (SENE) Lot 8 (NESE)

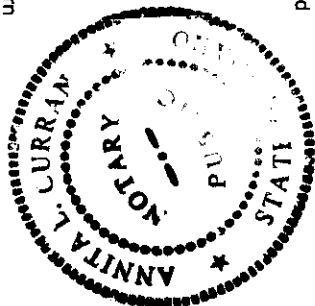
Lot 7 (NWSE)

Tributary: PEND OREILLE LAKE
 2625.00 AF
 2625.00 AF
 2625.00 AF

For additional information concerning the property location, call the Northern Regional Office at 208-769-1450.
 Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814.
 KARL J. DREHER, Director

Pub. Apr. 6, 13, 2000

6827



TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: ID DEPT. OF WATER RESOURCES
1910 NORTHWEST BLVD. STE 210
COEUR D'ALENE ID 83814

Date 04/13/2000INVOICE NO. 224845Account No. 964750Description 224845NOTICE OF CLAIMSTimes 2Lines 22

Tab. Lines _____

\$ 71.50

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

RECEIVED**APR 14 2000****IDWR/North****AFFIDAVIT OF PUBLICATION**

STATE OF IDAHO, ss.
County of Nez Perce

NOTICE OF CLAIMS TO WATER RIGHT

224845

The following claim(s) have been filed on water rights created by diversion and beneficial use:

96-04565

AVISTA CORP

PO BOX 3727

SPOKANE WA 992203727

Source: CLARK FORK RIVER

Tributary: PEND OREILLE LAKE

Diversion Pt: NWSE Sec 27 T 55N R 03E in BONNER County.

Use: POWER STORAGE

(2625.00 AF)

POWER FROM STORAGE

(2625.00 AF)

Total Diversion:

(2625.00 AF)

Claimed Priority: 8/11/1952

In: BONNER County

T55N R03E S26 Lot 1(NWNW) Lot 2(SWNW)

S27 Lot 1(SENE) Lot 8(NESE) Lot 7(NWSE)

For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Coeur d'Alene, Idaho 83814.

KARL J. DREHER, Director

Published: 4/ 6/2000 & 4/13/2000

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 224845NOTICE OF attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 04/06, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 04/06/2000, and the last publication thereof being on the 04/13/2000 and said 224845NOTICE OF was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 13day of April 2000

Sheryl Ann Lentz

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires June 4, 03

MICROFILMED

JAN 31 2001

**NOTICE OF CLAIMS
TO WATER RIGHT**

The Following claim(s)
have been filed on water
rights created by diversion
and beneficial use:

96-04565

AVISTA CORP
PO BOX 3727
SPOKANE, WA 992203727
Source: CLARK FORK
RIVER
Tributary: PEND OREILLE
LAKE

Diversion Pt: NWSE Sec
27 T 55N R 03E in BON-
NER County.

Use: POWER STORAGE
(2625.00 AF)

POWER FROM STORAGE
(2625.00 AF)

Total Diversion:
(2625.00 AF)

Claimed Priority: 8/11/1952
In: BONNER County
T55N R03E

S26 Lot 1 (NWNW) Lot 2
(SWNW)

S27 Lot 1 (SENE) Lot 8
(NESE) Lot 7 (NWSE)

For additional information
concerning the property
location, call the Northern
Regional Office at (208)
769-1450.

Exceptions to a claim
may be filed with the Direc-
tor, Dept. of Water Re-
sources, Northern Region,
1910 Northwest Blvd.,
Suite 210, Coeur d'Alene,
Idaho 83814.

Karl J. Dreher, Director

PUBLISH: April 6 and 13,
2000

Affidavit of Publication

STATE OF IDAHO

COUNTY OF TWIN FALLS } SS.

RECEIVED
APR 17 2000
IDWR/North

No 32383

I, Ruby Augerhede being first duly sworn upon oath, depose
and say that I am principal clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in any
supplement thereof, for two consecutive weeks,
commencing with the issue dated April 6, 19 2000,
and ending with the issue dated April 13, 19 2000.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except
Monday, both of which newspapers prior to consolidation had been published under said names in said city and county
continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since
such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said
newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be
published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each
issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 14th day of April in the year of 2000, before me,
a Notary Public, personally appeared Ruby Augerhede,
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

MICROFILMED

Neve R. Feltman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

NOTICE OF CLAIMS TO WATER RIGHT

The Following claim(s) have been filed on water rights created
by diversion and beneficial use:

96-04565

AVISTA CORP
PO BOX 3727
SPOKANE, WA 992203727

Source: CLARK FORK RIVER

Tributary: PEND OREILLE LAKE

Diversion Pt: NWSE Sec 27 T 55N R 03E in BONNER County.

Use: POWER STORAGE	(	2625.00 AF)
POWER FROM STORAGE	(	2625.00 AF)
Total Diversion:	(	2625.00 AF)

Claimed Priority: 8/11/1952

In: BONNER County
T55N R03E S26 Lot 1(NWNW) Lot 2(SWNW)
S27 Lot 1(SENE) Lot 8(NESE) Lot 7(NWSE)

For additional information concerning the property location, call the
Northern Regional Office at (208) 769-1450.

Exceptions to a claim may be filed with the Director, Dept. of Water
Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d' Alene,
Idaho 83814.

KARL J. DREHER, Director

Published: 4/ 6/2000 & 4/13/2000

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JAN 1 2001

96-04565

AVISTA CORP
PO BOX 3727
SPOKANE, WA 992203727

Source: CLARK FORK RIVER

Tributary: PEND OREILLE LAKE

Diversion Pt: NWSE Sec 27 T 55N R 03E in BONNER County.

Use: POWER STORAGE	(	2625.00 AF)
POWER FROM STORAGE	(	2625.00 AF)
Total Diversion:	(	2625.00 AF)

Claimed Priority: 8/11/1952

In: BONNER County
T55N R03E S26 Lot 1(NWNW) Lot 2(SWNW)
S27 Lot 1(SENE) Lot 8(NESE) Lot 7(NWSE)

*Bonner Co Daily Bee
Lewiston Trib
Post Register
Times News*
ak 4/14/00 d

MICROFILMED

JAN 31 2001

96-04565

AVISTA CORP
PO BOX 3727
SPOKANE, WA 992203727

Source: CLARK FORK RIVER

Tributary: PEND OREILLE LAKE

Diversion Pt: NWSE Sec 27 T 55N R 03E in BONNER County.

Use: POWER STORAGE	(	2625.00 AF)
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Total Diversion:	(	2625.00 AF)

Claimed Priority: 8/11/1952

In: BONNER County
T55N R03E S26 Lot 1(NWNW) Lot 2(SWNW)
S27 Lot 1(SENE) Lot 8(NESE) Lot 7(NWSE)

MICROFILMED
JAN 31 2001

March 24, 2000

Cathy Williams, Compliance Coordinator
Avista Utilities
Washington Water Power Division
PO Box 3727
Spokane WA 99220-3727

Re: Claim to Water Right No. 96-04565 Cabinet Gorge Project

Dear Ms. Williams:

Pursuant to our phone conversation this morning, enclosed is the original Claim to a Water Right form. We request that you initial at Item 5.A), pertaining to the location of point of diversion. The diversion point appears to be located only in Section 27. We didn't catch this earlier.

After initialing, please return to me in the enclosed envelope. Thank you very much.

Sincerely,

Allen Beardslee
Senior Water Resource Agent

db

Enc.

Received back 3/28/00 db

MICROFILMED

JAN 31 2001

Avista Utilities

1411 East Mission P.O. Box 3727
Spokane, Washington 99220-3727
Telephone 509-489-0500
Toll Free 800-727-9170



RECEIVED
MAR 03 2000
IDWR/North

March 2, 2000

Mr. Al Beardslee
Senior Water Resource Agent
Idaho Department of Water Resources
1910 Northwest Boulevard, Suite 210
Coeur d'Alene, ID 83814

Dear Mr. Beardslee:

RE: Water Storage Rights for the Cabinet Gorge Project

I am returning Avista Corporation's proposed Claim to a Water Right and have initialed and accepted the changes made by you. Please note that the calculations are now consistent throughout the application, using 105,000 af as the base.

Thanks for all your help in the processing of this claim.

Sincerely,

A handwritten signature in cursive script that reads 'Cathy Williams'.

Cathy Williams
Compliance Coordinator

Enclosures

c: Bob Anderson
Steve Fry
Tim Swant

MICROFILMED
JAN 31 2001

Avista Corporation
1411 East Mission P.O. Box 3727
Spokane, Washington 99220-3727
Telephone 509-489-0500
Toll Free 800-727-9170



December 17, 1999

Mr. Al Beardslee
Senior Water Resource Agent
Idaho Department of Water Resources
1910 Northwest Boulevard, Suite 210
Coeur d'Alene, ID 83814

RECEIVED
DEC 20 1999
IDWR/North

Dear Mr. Beardslee:

RE: Water Storage Rights for the Cabinet Gorge Project

In reference to an Idaho Department of Water Resource letter dated February 19, 1999, from Ralph Mellin, enclosed, along with a check for the \$250 filing fee, is the original and one copy of the "Claim to a Water Right" for storage at the Cabinet Gorge Hydroelectric Project, FERC No. 2058. This claim is submitted by Avista Corporation, formerly known as The Washington Water Power Company. Enclosed for your information is a copy of the name change document submitted to the State of Idaho in January 1999.

This Claim to a Water Right for storage is associated with the following Idaho License and Certificate of Water Rights for the Cabinet Gorge project (copies attached):

Water License No. 30318	96-02269	Priority date of 11/3/61	700 cfs
Water License No. 21828	96-02180	Priority date of 11/7/50	10,000 cfs
Water License No. 21783	96-02179	Priority date of 9/7/50	25,000 cfs

We would appreciate your stamping or noting receipt of the claim and returning the conformed copy to me for our records.

If you have any questions on this matter, please call me at 509-495-4084.

Sincerely,

A handwritten signature in black ink, appearing to read "Steven A. Fry".

Steven A. Fry, P.E.
Hydro Safety Manager

Enclosures - 7

c: Bob Anderson
Neil Colwell
Tim Swant
File

MICROFILMED
JAN 31 2001

WR0749NP
No. 96-04565

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 03/23/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AVISTA CORPORATION PO BOX 3727 SPOKANE WA 99220-3727 (509) 489-0500	08/11/1952	POWER STORAGE POWER FROM STORAGE	01/01 12/31 01/01 12/31		2625.00 AFA 2625.00 AFA ----- TOTAL DIVERSION: 2625.00 AFA

Water Source: CLARK FORK RIVER

Tributary to: PEND OREILLE LAKE

Stage: STATUTORY CLAIM

Point(s) of Diversion: T55N R03E S27

NWSE

BONNER County

Place of use Legal Description for: POWER STORAGE

NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
55N	03E	26	:					01-P	02-P											:
55N	03E	27	:				01-P								08-P	07-P				:

Place of use location for POWER FROM STORAGE is the same location as described for: POWER STORAGE

Pou County: BONNER

Dates: App. Received: 03/03/2000 Priority Date: 08/11/1952
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 03/22/2000 User-ID: DBALL Subject: Note to File regarding applicant name.
Avista Corporation was formerly known as The Washington Water
Power Company.

Date: 03/22/2000 User-ID: DBALL Subject: Diversion works.
Claim is for active (live) and dead storage for the Idaho part of
the reservoir for the Cabinet Gorge Project, FERC Proj. No.2058.
A small amount of total reservoir for this project, apx 2.5%, is
located in State of Idaho. Remainder of 105,000 AF of water
storage in reservoir is located in State of Montana.
Stored water is used for power generation under Water License
Nos. 21783 (96-02179), 21828 (96-02180) and 30318 (96-02269).

Audit: 03/22/00 DBALL 03/22/00 SCURTIS