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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

FEB 15 2007

Department of Water Resources
Eastern Region

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

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 Utah Power & Light Company
vs. The Last Chance Canal Company Dated July 14, 1920 in Dist. of Idaho, Eastern Division
Court, _____ County _____ of Caribou (formerly Bannock) Fully (Name of Court) describe _____ decree Dietrich Decree, in Equity No. 203
 - b. License No. 13-963
 - c. Claim No. _____
 - d. SRBA No. _____
4. Source of water Bear River tributary to Great Salt Lake
(Name of stream or source)
5. Date of priority of right 03/28/1916
6. Description of Right:
amount 4000 ac-ft for storage/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 SW 1/4 of Sec. 21 Twp. 10S Rge. 40E County Caribou

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 March 12, 2003
Length of extension of time requested _____ years, or until March 12, 2013 (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, formerly Utah Power & Light Company, decommissioned the Cove hydro-electric plant in 2006 per a settlement agreement between PacifiCorp and stakeholders. That same agreement stipulates that PacifiCorp "shall use reasonable efforts to utilize its water right associated with the Cove development for the beneficial uses associated with instream flows, and shall cooperate with the Settlement Agreement Parties in securing an approved change or transfer application or other similar approvals necessary for accomplishing said purposes." PacifiCorp respectfully requests an extension period of five years beyond the original forfeiture date to work collaboratively with the stakeholders to determine the final disposition of the water right.

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

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 12th day of February, 20 07



[Signature]
(Notary Public)

My commission expires 12-13-2010 Residing at 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 March 1, 2013.

Signed this 8th day of June, 2007

[Signature]
Chief, Water Allocation Bureau Jeff Peppersack

FOR DEPARTMENT USE ONLY

Date Received 2/15/07 FEE Received by SC Date 2/15/07 Receipt # E032612
Preliminary ✓ by SC Publication prepared by SC Pub. approved by _____ Date _____
Published in Caribou Co. Sun Dates Published 3/1/07 & 3/8/07
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - APPROVAL / DENIAL By _____

SCANNED

FEB 22 2007