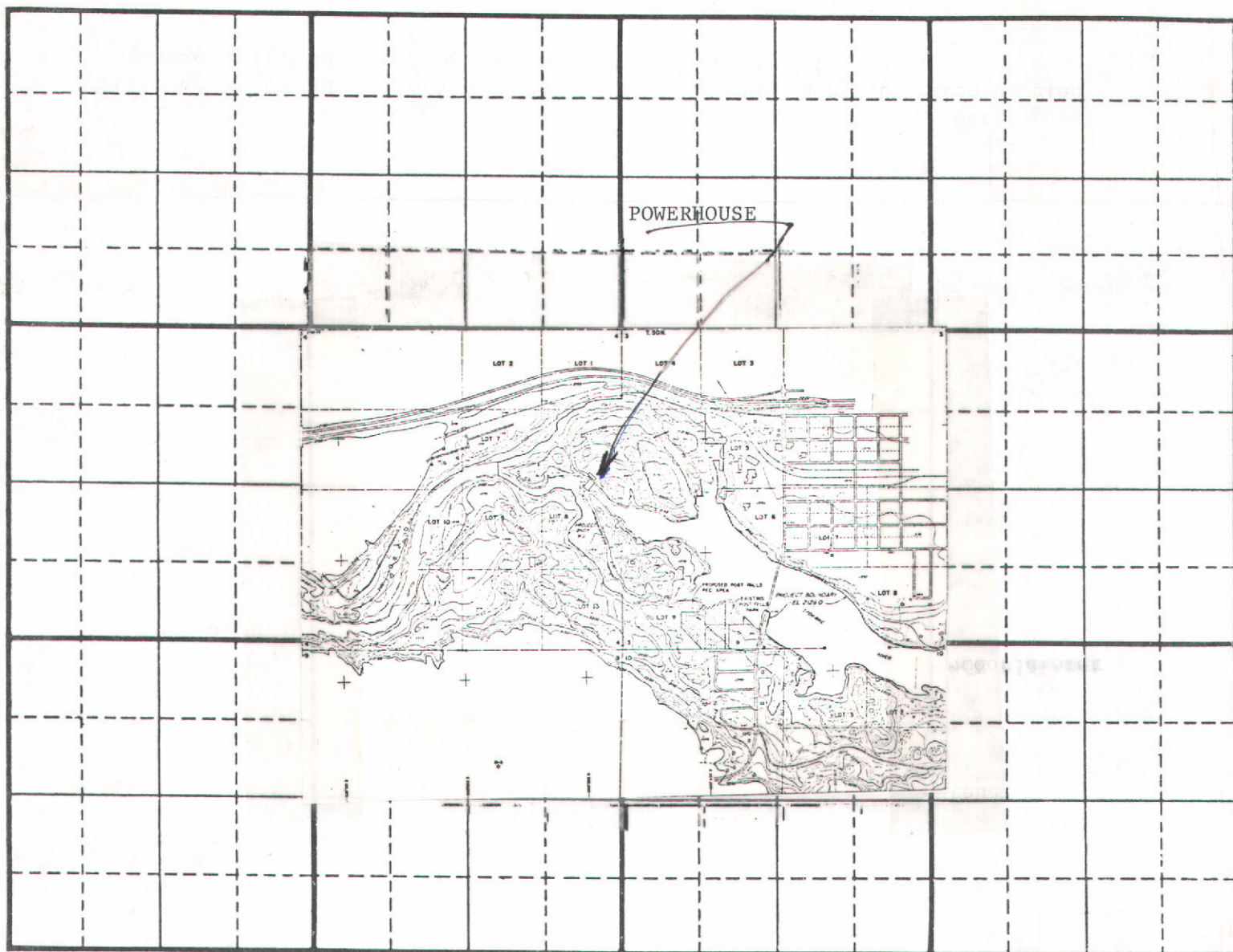


(8) Remarks See attached sheet.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of ~~Idaho~~ Washington)
County of Spokane) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

THE WASHINGTON WATER POWER COMPANY

James G. Fuller, P.E.

Supervisor, (Claimant) Generation Engineering.

Sworn to before me this 16th day of December

, 19 82.

Mary Sue Haugan

Notary Public

Residing at Spokane, Washington.

My commission expires 8/20/86.

FOR DEPARTMENT USE ONLY

Received by JLR Date 1-3-83 Exception filed by: _____ Date _____
Prelim. check by JLR Date 1-7-83 Forwarded to claimant by: _____
\$30.00 fee received by JLR Date 1-12-83-(24803)
Published in Coeur d'Alene Press
Dates 2/3+10/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that The Washington Water Power Company
(Name of Claimant)
P. O. Box 3727, Spokane, Washington 99220 Telephone No. (509) 489-0500
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1907

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Spokane River tributary to 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, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>4250 cfs</u>	Use <u>Elec. Power Generation</u>	Period of Use From <u>January 1</u>	To <u>December 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 4250 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NE ¼, Sec. 4 Twp. 50N Rge. 5 W B.M., County of Kootenai
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Five (5) turbine generators each rated at 3260 HP and an 11 1/2-foot diameter penstock using 850 cfs w/62 ft head.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

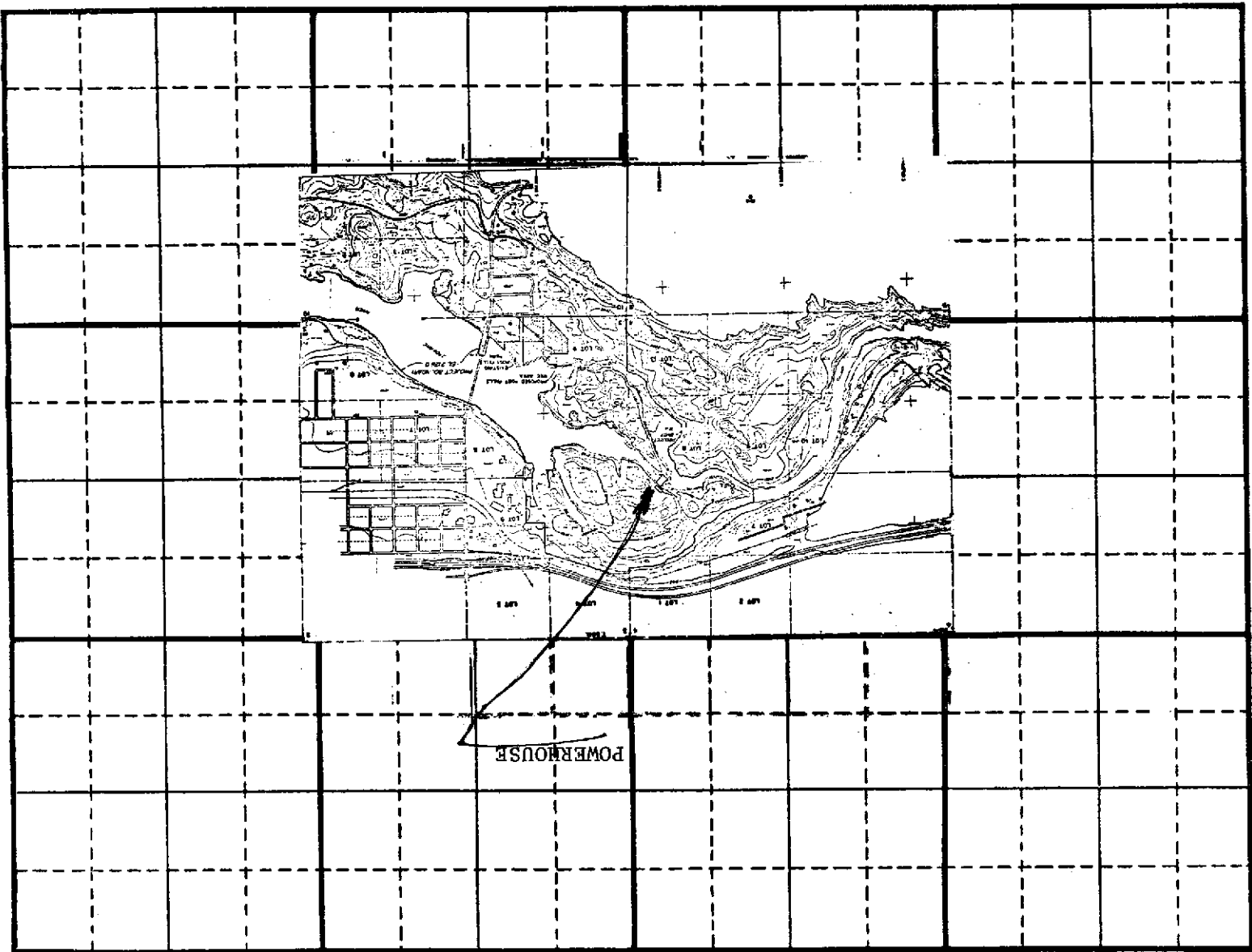
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
50N	5 W	4				X													

No. of acres _____

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water under head is used to turn a hydraulic turbine which through a shaft drives an electric generator and electricity is produced, then distributed to users.

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

(7) If you are claiming water as a member of an organization, list name of organization: _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of ~~Idaho~~ Washington
)
) ss.
) County of Spokane

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

THE WASHINGTON WATER POWER COMPANY
James J. Fuller, P.E.
Supervisor, (Claimant) Generation Engineering-
ing. Sworn to before me this 16th day of December, 19 82.

Thomas M. Hargan
Notary Public
Residing at Spokane, Washington.

My commission expires 8/20/86.

FOR DEPARTMENT USE ONLY

Received by *MLF* Date 1-3-83 Exception filed by: Forwarded to Date
Prelim. check by Date 1-7-83
\$30.00 fee received by *Carol H. Allen* Date 1-8-83
Published in *Spokane Falls* Dates 2/3/1983

No. 8 - Remarks

The Washington Water Power Company claims the right to use all of the water of the Spokane River at Post Falls for water power purposes. The Company owns all of the land on which the Post Falls dams and water power works are located. The date of priority of such claim is June 1, 1871, which was confirmed March 3, 1891, by Act of Congress (26 Stat.989). A United States Patent was issued to Frederick Post for the land and water power at the Post Falls site. The Company has acquired the land and water power rights and has put to beneficial use the above quantities of water since 1907.

APR 19 1937

AFFIDAVIT OF PUBLICATION

NOTICE OF CLAIMS TO WATER RIGHTS

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

94-4101
RUSSELL, BERT A.
RT. 1 BOX 18, HARRISON, ID 83833
Source: SPRING trib. to BLACK LAKE
Priority Date: 01/01/1961
Diversion Pt: NESE Sec 10 T 47N R 01W
Use: RECREATION (1.5 AF)
IN: NESE SEC 10 T 47N R 01W
94-4513

WASHINGTON WATER POWER CO.
P. O. BOX 3727, SPOKANE, WA 99220
Source: SPOKANE RIVER trib. to COLUMBIA RIVER
Priority Date: 01/01/1907
Diversion Pt: SENE Sec 04 T 50N R 05W
Use: POWER (4250.00 CFS)

In: SENE Sec 04 T 50N R 05W
94-4519
KENNEDY, JAMES C.
W. 2425 FISHER AVE., POST FALLS, ID 83854
Source: GROUNDWATER
Priority Date: 01/01/1960
Diversion Pt: NENE Sec 29 T 31N R 06W
Use: STOCKWATER (0.02 CFS); DOMESTIC (0.00 CFS)
In: NENE Sec 29 T 31N R 06W

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 4005 Gov't. Way, Coeur d'Alene, Id. 83814.
KEN DUNN, Dir.

Legal 524
Feb. 3, 1983

STATE OF IDAHO, } ss.
County of Kootenai,

Robert D. Stanley being first duly sworn upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The Notice

of which the annexed is a printed copy, was published in the regular Monday issue of said newspaper for 2 consecutive times commencing on the 3 day of Feb, 1983, and ending on the 10 day of Feb, 1983, and such publication was made as often during said period as said newspaper newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Subscribed and sworn to before me this 10 day of Feb, 1983.

RECEIVED
1983

Robert D. Stanley
Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

Department of Water Resources
Northern District Office

RECEIVED
FEB 3 1983

Please See The Microfilm For
The Binder Containing: Spokane River •
Hydroelectric Projects License No. 25445
License And Amendments. Binder Was
Removed From The File, Microfilmed & Destroyed
To ~~make room~~ Save Storage Space.
Microfilmed On Roll # 895

MICROFILMED

MAY 3 3 1983



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 19, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Deb Mortlock
Washington Water Power Company
P.O. Box 3727
Spokane, Washington 99220-3727

Dear Ms. Mortlock:

RE: Draft Application for License, Cabinet Gorge Hydroelectric Project, FERC 2058

The letter of October 15, 1998, from Larry La Bolle on the above project requested comments to you by January 15, 1999. Our letter is recognized to be late; however, comments felt to be appropriate are quite minor in relation to FERC's responsibility but generally relate to state of Idaho water rights for the project. This letter results from my discussion with Larry La Bolle on February 17.

In regard to the Draft Application for License, on page 3-14 of the Draft Collaboratively Prepared Environmental Assessment under Idaho Water Rights, we would have preferred a listing of the License and Certificate of Water Right document numbers. These documents are as follows:

- 96-02179 with priority date of September 7, 1950 for 25,000 cfs
- 96-02180 with priority date of November 7, 1950 for 10,000 cfs (not September 7, 1950)
- 96-02269 with priority date of November 3, 1961 for 700 cfs

It should be noted there is no storage license of record for the Cabinet Gorge Reservoir. Therefore a Claim to a Water Right under Idaho Code 42-243 should be filed in the near future on a Idaho Department of Water Resources form no. 243, Claim to a Water Right (Statutory Claim). According to page A-4 of the draft license application, the claim would be for 105,000 acre-feet for storage and 42,780 acre-feet for use from storage for hydroelectric use.

On page 4-45, the reference to the Idaho Water Resource Board's State Water Plan should reference the January 1997 edition not a December 1986 edition.

For the Draft License Application in the Initial Statement under item 6, compliance with each of the laws cited, it would have been beneficial to repeat the above license information with a summary of the claim information. This compliance section, as you know, was not provided in the draft application for license.

In regard to the name change to Avista Corporation, good business practice suggests a name/address change filing either by letter or on form no. 42-248/42-1409(6), Notice of Change of Water Right Ownership, would be made for Idaho water rights [Cabinet Gorge, Post Falls, and any others (?)].

MICROFILMED

MAY 03 1999

February 19, 1999

This letter or form should include a listing of the water rights and a copy of the document(s) that makes the legal name change. A partial review of our data base lists the following additional Idaho water filings:

<u>Filing No.</u>	<u>Priority Date</u>	<u>Source</u>	<u>Quantity</u>
95-04518	01/01/1907	Spokane River	4,250 cfs (for Post Falls) (a claim)
95-08003	03/17/1980	Spokane River	1,150 cfs (for Post Falls)
82-02070	03/11/1926	Moore's Lake	715 ac-ft (power) in 71 acre lake
Water transferred to Moore's Lake Creek to Johns Creek to S.F. Clearwater R. (Storage in T. 26 N., R. 05 S., Sec. 6, NENE., B.M. Transferred from Inland Power & Light Co. A court likely would rule this licensed right forfeited because of non-use.)			
95-02205	02/21/1967	Groundwater	0.29 cfs (domestic)
95-04027	09/01/1963	Groundwater	1.20 cfs (domestic)
95-07185	04/03/1972	Groundwater	1.39 cfs (domestic)
95-07271	04/03/1973	Groundwater	0.83 cfs (municipal)
95-08432	01/30/1984	Groundwater	0.08 cfs (domestic)
95-02172	Lapsed		

Both the claim and name change filings may be made through our regional office located in Coeur d'Alene, Idaho, telephone number (208) 769-1450. Forms are enclosed with a copy of this letter to Larry La Bolle and also can be duplicated from internet at www.idwr.state.us.id/idwr/idwrhome.htm.

We have deferred a concern about erosion below Cabinet Gorge Dam to the oversight review and recommendations of the Idaho Division of Environment and the Idaho Department of Fish and Game.

Sincerely,



Ralph Mellin
Special Projects Coordinator

c: Larry La Bolle, Avista Relicensing Project Manager, w/enclosures
Bob Haynes, IDWR Northern Regional Office

MICROFILMED

MAY 13 1999

95-04518

SEE MICROFILM JACKET FOR ADDITIONAL
INFORMATION. REPORTS ARE LOCATED ON
MICROFILM.

MICROFILMED

MAY 03 1999

FEB 09 1999

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Department of Water Resources

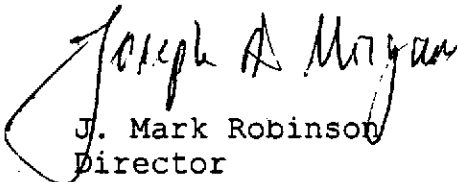
95-8003
95-4518
Washington Water Power Company)
Avista Corporation)Project Nos. 2058-013,
2075-013, 2544-026
and 2545-066ORDER AMENDING LICENSE
(Issued February 2, 1999)

Washington Water Power Company has requested that its licenses 1/ for the Cabinet Gorge Project, FERC No. 2058, Noxon Rapids Project, FERC No. 2075, Meyers Falls Project, FERC No. 2544, and Spokane River Project, FERC No. 2545, be amended to reflect its new name Avista Corporation. The projects are located on the Clark Fork River, in Bonner County, Idaho and Sanders County, Montana; Clark Fork River in Sanders County, Montana; Colville River in Stevens County, Washington; and Spokane River in Spokane, Stevens, and Lincoln Counties, Washington.

The Director orders:

(A) The licenses for the Cabinet Gorge, Noxon Rapids, Meyers Falls, and Spokane River Projects are amended to change the licensee's name from Washington Water Power Company to Avista Corporation.

(B) This order constitutes final agency action. Requests for rehearing by the Commission may be filed within 30 days of the date of issuance of this order, pursuant to 18 C.F.R. § 385.713.


J. Mark Robinson
Director

Division of Licensing and Compliance

1/ 75 FERC ¶ 61,267 (1996).

MICROFILMED

MAY 03 1999

DC-A-10



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NORTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
~~Director~~
Director

Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814
(208) 667-6484

January 4, 1983

95-4578

Mr. James Fuller, P.E.
The Washington Water Power Co.
P. O. Box 3727
Spokane, Wa. 99220

Dear Mr. Fuller:

I am returning Check No. 92-47 in the amount of \$30.00 and the claim of The Washington Water Power Co. for completion of Item No. 6a. This item should be the legal description of the power house.

Mr. Vill of your Company has requested information on the procedures of finalizing Application for Permit No. 95-8003. This application has not as yet been approved. Upon approval of the application, the necessary procedures will be outlined. I hesitate to describe the procedures at this time, since there may be special conditions of approval assigned to any permit.

If you need any assistance with the claim, please contact me at this office.

Sincerely,

TOM D. KING
Senior Water Resource Agent

TDK/pms

Enc. - Check
Claim

RECEIVED

JAN 3 1983

Department of Water Resources
Northern District Office

THE WASHINGTON WATER POWER COMPANY

Electric and Natural Gas Service

P.O. BOX 3727 • SPOKANE, WASHINGTON 99220 • (509) 489-0500

December 29, 1982



Idaho Department of Water Resources
Route 5, Box 203 - Suite 1
Coeur d'Alene, Idaho 83814

Gentlemen:

In accordance with Idaho Code 42-243 and a letter dated October 21, 1982, from David R. Tuthill, Jr., P.E., please find enclosed your Form 243, Claim to a Water Right, which has been completed on behalf of our Company.

Also enclosed is our check No. 85540 in the amount of \$30.00, which is the amount shown as your fee.

Should any additional information be required for our Company to retain this water right, please contact Mr. James Fuller, Supervisor, Generation Engineering, at (509) 489-0500, Extension 2416.

We would also appreciate receiving a copy of the procedures required to finalize the application for Permit No. 95-8003.

Thank you for your assistance and cooperation in these matters.

Very truly yours,

David R. Vill
Land Services Supervisor

msh
Enclosures

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: JR

Right Number 95-4578 Applicant J. J. P.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By pm Date 2/23/83

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 3/2/83

RECEIVED
MAR 02 1983

Department of Water Resources

95-4518-

WASHINGTON WATER POWER CO.

P.O. BOX 3727, SPOKANE, WA 99220

Source: SPOKANE RIVER trib. to COLUMBIA RIVER

Priority Date: 01/01/1907

Diversion Pt: SENE Sec 04 T 50N R 05W

Use: POWER (4250.00 CFS)

In: SENE Sec 04 T 50N R 05W

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Northern Region

JOHN V. EVANS
Governor
A. KENNETH DUNN
Director

4055 Government Way
Coeur d'Alene, ID 83814
(208) 667-6484

FEBRUARY 22, 1983

WASHINGTON WATER POWER CO.
P.O. BOX 3727
SPOKANE WA 99220

RE: Claim No. 95-4518

Dear Claimant:

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 that information or evidence added at any time. Please refer to the claim identification number when corresponding with this 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.

Yours truly,

Robert G. Haynes, P.E.
Regional Supervisor

Enclosure

RECEIVED

JAN 7 1983



Department of Water Resources
Northern District Office

THE WASHINGTON WATER POWER COMPANY

Electric and Natural Gas Service

P.O. BOX 3727 • SPOKANE, WASHINGTON 99220 • (509) 489-0500

January 6, 1983

Mr. Tom D. King
Senior Water Resource Agent
State of Idaho
Department of Water Resources
Suite No. 1
4055 Government Way
Coeur d'Alene, Idaho 83814

Dear Mr. King:

In accordance with your letter of January 4, 1983, to James Fuller of our Company, we are herewith resubmitting your Form 243, Claim to a Water Right. Mr. Fuller has completed Item No. 6a.

Also enclosed is our check No. 85540 in the amount of \$30.00 to cover your fee.

If you have further questions or if we may be of further assistance, please do not hesitate to contact the undersigned at (509) 489-0500, Extension 2438, or James Fuller on Extension 2416.

Very truly yours,

David R. Vill

David R. Vill
Land Services Supervisor

msh
Enclosures

THE WASHINGTON WATER POWER COMPANY

DATE	INVOICE NUMBER	DESCRIPTION	AMOUNT	DISCOUNT OR DEDUCTION	NET AMOUNT
		FEE FOR WATER RIGHT IN KOOTENAI COUNTY, IDAHO	\$30.00		

PLEASE DETACH BEFORE DEPOSITING CHECK

KO

October 21, 1982

The Washington Water Power Company
P.O. Box 3727
Spokane, Washington 99220

RE: Post Falls Power Plant

Gentlemen:

I was recently notified of the fact that the early in time water rights for power purposes that you developed on the Spokane River at Post Falls have not been recorded. Our records show that the only recorded water right at your Post Falls power plant is Application for Permit No. 95-8003 for 1160 cfs for a sixth turbine generator, which was filed on March 17, 1980.

As you may be aware, this Department is currently conducting a program designed to record all previously unrecorded water rights by June 30, 1983. This program was established by statutes that indicate water rights not recorded by that date are subject to loss due to abandonment. Details about the program are described in the enclosed brochure entitled "Keep your water".

To properly record the water rights that have been established by diversions at your Post Falls power plant, you will need to submit at least one Claim to a Water Right. Enclosed for your convenience we have included claim forms and instructions.

Assistance for completing the claims is available at our regional office in Coeur d'Alene or in this office. Please advise me if you have any difficulties in recording the water rights of this important power plant.

Sincerely,

DAVID R. TUTTILL, JR., P. E.
Supervisor, Water Allocation Section

DRT:jg

Enclosure

cc: Northern Regional Office
Dam Safety Section