

Form I-243
7/98
Form 7/98

RECEIVED

DEC 23 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Claim No.
11-04358

Soda Domestic 11-98

CLAIM TO A WATER RIGHT

100

Department of Water Resources

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 presented by a valid permit, license, decree, or previous claim are exempt from this 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 PacifiCorp

(Name of Claimant)

1407 West North Temple, Suite 110, SLC, Utah 84140 Telephone No (801) 220-4029

(Mailing Address)

(Zip Code)

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) January 1, 1922
A claim is not acceptable for the sue 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 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)
Spring tributary to Bear 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 <u>0.08</u> cfs	Use <u>Domestic</u>	Period of Use from <u>Jan. 1</u>	to <u>Dec. 31</u>
Quantity _____	Use _____	Period of Use from _____	to _____
Quantity _____	Use _____	Period of Use from _____	to _____
Quantity _____	Use _____	Period of Use from _____	to _____
4. 0.08 TOTAL QUANTITY USED.
(cfs or af)
5. A) Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of NW $\frac{1}{4}$ Govt. Lot _____
Sec. 17 Township 9S Range 41E B.M., Caribou County;
Additional points of diversion, if any: _____
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change. Concrete diversion and steel pipeline to plant and houses.

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 ¼				NW ¼				SW ¼				SE ¼				Total Acres
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SE	SW	
9S	41E	17					D	D	D									D	

Total Acres _____

B) If water is used for purposes other than irrigation, fully describe the use. Be specific. Water for domestic use of the Soda Hydroelectric Plant and at two company homes is diverted from a spring located on the mountainside south of the plant. Water is collected in a concrete box and is conveyed to the place of use via a 1" steel pipeline.

7. Remarks: This claim is to document existing uses at the Soda Hydro Electric project that have continuously occurred since the project began operation in 1922. This claim represents no increase in historical uses for irrigation.
8. Map - Attach an 8 ½" 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 ½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

State of Utah)

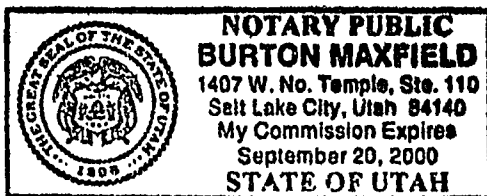
) ss.

County of Salt Lake)

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.

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

Sworn to before me this 4th day of November, 1998.



[Signature]
Notary Public

Residing at: S.C. County

My commission expires: 9-20-2000

Received by HWT FOR DEPARTMENT USE ONLY
 Prelim. Check by HWT Date 11-6-1998 Published in Caribou County Sun
 Fee 100.00 Receipt # E024608 Publication dates Nov 18 & 25th, 1998
 Receipt prepared by _____ Date _____ Publication checked by SC Date 12/18/98
 Exceptions filed by _____

NOTICE OF CLAIMS TO WATER RIGHT

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

11-04358

PACIFICORP
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY, UT 84140

Source: SPRING

Tributary: BEAR RIVER

Diversion Pt: SWSNW Sec 17 T 09S R 41E in CARIBOU County.

Use: DOMESTIC	(	0.080 CFS)
Total Diversion:	(	0.080 CFS)

Claimed Priority: 1/ 1/1922

In: CARIBOU County
T09S R41E S17

NENW

NWNW

SWNW

SWSE

Exceptions to a claim may be filed with the Director, Dept. of Water
Resources, Eastern Region, 900 N Skyline Ste A, Idaho Falls, Idaho 83402.

KARL J. DREHER, Director

Published: 11/18/1998 & 11/25/1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NOVEMBER 10, 1998

Legal Notices Department
CARIBOU COUNTY SUN
P.O. BOX 815
SODA SPRINGS, ID 83276

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before DECEMBER 7, 1998.

Yours truly,

Sharla Cox
Secretary

Encl.

*mailed
11/10/98
SC*



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 17, 1998

PETE PETERSON
WATERMASTER #11
2483 RIVERDALE
PRESTON ID 83263

RE: Claim to a Water Right #11-04354, 11-04355, 11-04356, 11-04357,
11-04358, 13-04334, 13-04335, 13-04336, 13-04337, 13-04338

Dear Pete:

Please find enclosed a copy of the above referenced claim to a water right application. Please review the application and submit any comments you may have to our Department as soon as possible.

If you have any questions, please feel free to contact us.
Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.

PUBLIC NOTICE

First Time Published

NOTICE OF CLAIMS TO WATER RIGHT

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

11-04354

PACIFICORP
1407 WEST NORTH TEMPLE
STE. 110

SALT LAKE CITY, UT 84140
Source: BEAR RIVER
Tributary: GREAT SALT LAKE
Diversion Pt: NWSNW Sec. 17 T 09S R 41E in CARIBOU COUNTY

Use: IRRIGATION (0.020 CFS)

Total Diversion: (0.020 CFS)
Claimed Priority: 1/1/1922
In: CARIBOU COUNTY T09S R41E S17 NENW NWNW, 1.0 ACRES TOTAL

11-04356

PACIFICORP
1407 WEST NORTH TEMPLE
STE. 110

SALT LAKE CITY, UT 84140
Source: BEAR LAKE
Tributary: GREAT SALT LAKE
Diversion Pt: NWSNW Sec. 11 T 09S R 41E in CARIBOU COUNTY

Use: IRRIGATION (1.400 CFS)

Total Diversion: (1.400 CFS)
Claimed Priority: 7/8/1933
In: CARIBOU COUNTY T09S R41E S10 NENE SENE NESE S11 NENW NWNW SWNW SENW NWSW, 64.2 ACRES TOTAL

11-04357

PACIFICORP
1407 WEST NORTH TEMPLE
STE. 110

SALT LAKE CITY, UT 84140
Source: BEAR RIVER
Tributary: GREAT SALT LAKE
Diversion Pt: NWSNW Sec. 17 T 09S R 41E in CARIBOU COUNTY

Use: POWER (400.000 CFS)
Total Diversion: (400.000 CFS)

Claimed Property: 1/1/1922
In: CARIBOU COUNTY T09S R41E S17 SWNW SENW

11-04358

PACIFICORP
1407 WEST NORTH TEMPLE
STE. 110

SALT LAKE CITY, UT 84140
Source: SPRING
Tributary: BEAR RIVER
Diversion Pt: SWSNW Sec. 17 T 09S R 41E in CARIBOU COUNTY

Use: DOMESTIC (0.080 CFS)
Total Diversion: (0.080 CFS)
Claimed Priority: 1/1/1922
In: CARIBOU COUNTY T09S R41E S17 NENW NWNW SWNW SWSE

13-04333

PACIFICORP
1407 WEST NORTH TEMPLE
STE. 110

SALT LAKE CITY, UT 84140
Source: GROUNDWATER
Tributary: BEAR RIVER
Diversion Pt: NESWNE Sec. 1 T 10S R 40E in CARIBOU COUNTY

Use: DOMESTIC (0.040 CFS)
Total Diversion: (0.040 CFS)
Claimed Property: 6/1/1905
In: CARIBOU COUNTY T10S R40E S01 SWNE

13-04334

PACIFICORP
1407 WEST NORTH TEMPLE
STE. 110

SALT LAKE CITY, UT 84140
Source: BEAR RIVER
Tributary: GREAT SALT LAKE
Diversion Pt: NESWNE Sec. 1 T 10S R 40E in CARIBOU COUNTY

Use: IRRIGATION (0.010 CFS)

Total Diversion: (0.010 CFS)
Claimed Priority: 6/1/1905
In: CARIBOU COUNTY T10S R40E S01 SWNE, 0.5 ACRES TOTAL

13-04335

PACIFICORP
1407 WEST NORTH TEMPLE
STE. 110

SALT LAKE CITY, UT 84140
Source: BEAR RIVER
Tributary: GREAT SALT LAKE
Diversion Pt: NWSWNE Sec. 1 T 10S R 40E in CARIBOU COUNTY

Use: IRRIGATION (0.060 CFS)

Total Diversion: (0.060 CFS)
Claimed Priority: 6/1/1905
In: CARIBOU COUNTY T10S R40E S21 NESW SESW, 3.0 ACRES TOTAL

13-04336

PACIFICORP
1407 WEST NORTH TEMPLE
STE. 110

SALT LAKE CITY, UT 84140
Source: SPRINGS
Tributary: BEAR RIVER
Diversion Pt: SWNENW Sec. 21 T 10S R 40E in CARIBOU COUNTY. SWSNW Sec. 21 T 10S R 40E in CARIBOU COUNTY. SESESW Sec. 21 T 10S R 40E in CARIBOU COUNTY

Use: DOMESTIC (0.200 CFS),
IRRIGATION (0.040 CFS),
STOCKWATER (0.010 CFS)

Total Diversion: (0.250 CFS)
Claimed Priority: 6/1/1905
In: CARIBOU COUNTY T10S R40E S21 SWNE NWNW SWNW, 2.0 ACRES TOTAL

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, Eastern Region, 900 North Skyline Ste. A, Idaho Falls, Idaho 83402.

(s) KARL J. DREHER
Director
Published Nov. 19 and 26, 1998
in the Caribou County Sun.

Affidavit of Publication

County of Caribou } ss.
State of Idaho }

Mark Steele

being first duly sworn on his oath, states:

That he is Publisher of the Caribou County Sun, a newspaper of general circulation in Caribou County, Idaho, published weekly at Soda Springs in said County that said newspaper has been published in said County uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement;

That the annexed notice was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof

for 2 successive weekly issues thereof, the date of the first publication being the

19th day of November, 1998

The date of the last publication being the 26th day of November, 1998

On this 4th day of December in the year of 1998 before

me, a Notary Public, personally appeared

Mark Steele
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.

Wendy D. Smith
Notary Public for Idaho
Residing at Soda Springs, Idaho
My commission expires:

March 11, 2000

RECEIVED

DEC 17 1998

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DECEMBER 9, 1998

PACIFICORP
1407 W NORTH TEMPLE STE 110
SALT LAKE CITY, UT 84140

Re: Claim No. 11-04358

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,

RONALD CARLSON
Eastern Regional Manager

RDC:sc

Enc