

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 13-893
Date Received: 4-28-25
Receipt No: P002003
Claim Fee: \$200 By: MB

RECEIVED

APR 28 2025

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston
Please print clearly

1. Name of claimant(s) PacifiCorp Phone (801) 220-7803
Mailing address 1407 W North Temple Suite 110 Salt Lake City UT Zip 84116
Street or Box City State
Email address (optional) Buffi.Morris0@PacifiCorp.com
2. Date of priority: (Only one per claim) 06/01/1913 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Springs
which is tributary to (b) Bear River
4. a. Location of point of diversion is: Township 13S, Range 40E, Section 26,
NE 1/4 of NW 1/4, Govt. Lot _____, BM, County of Franklin
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, etc.),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Water is collected from springs located on the hillside west of houses and diverted into a concrete collection box then conveyed via a 2 inch pipe to 8 houses, powerhouse and shop. A pipeline crosses the river to convey water to the powerhouse and shop. Water is also diverted into a pond for wildlife pond. See map.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)

For Domestic purposes from 01/01 to 12/31 amount 0.07 or _____

For Diversion to Storage purposes from 01/01 to 12/31 amount 0.02 or _____

For Wildlife Storage purposes from 01/01 to 12/31 amount _____ or 1.5

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.09 (cfs) and/or (b) and 1.5 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) 8 houses, restroom and ice machine at plant, pond for wildlife habitat

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	40E	26		D	D		D												
13S	40E	26		W			W												

Parcel no(s). _____ Total number of acres irrigated _____

10. In which county(ies) are lands listed above as place of use located? Franklin

11. Do you own the property listed above as place of use? Yes (☒) No (☐)

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

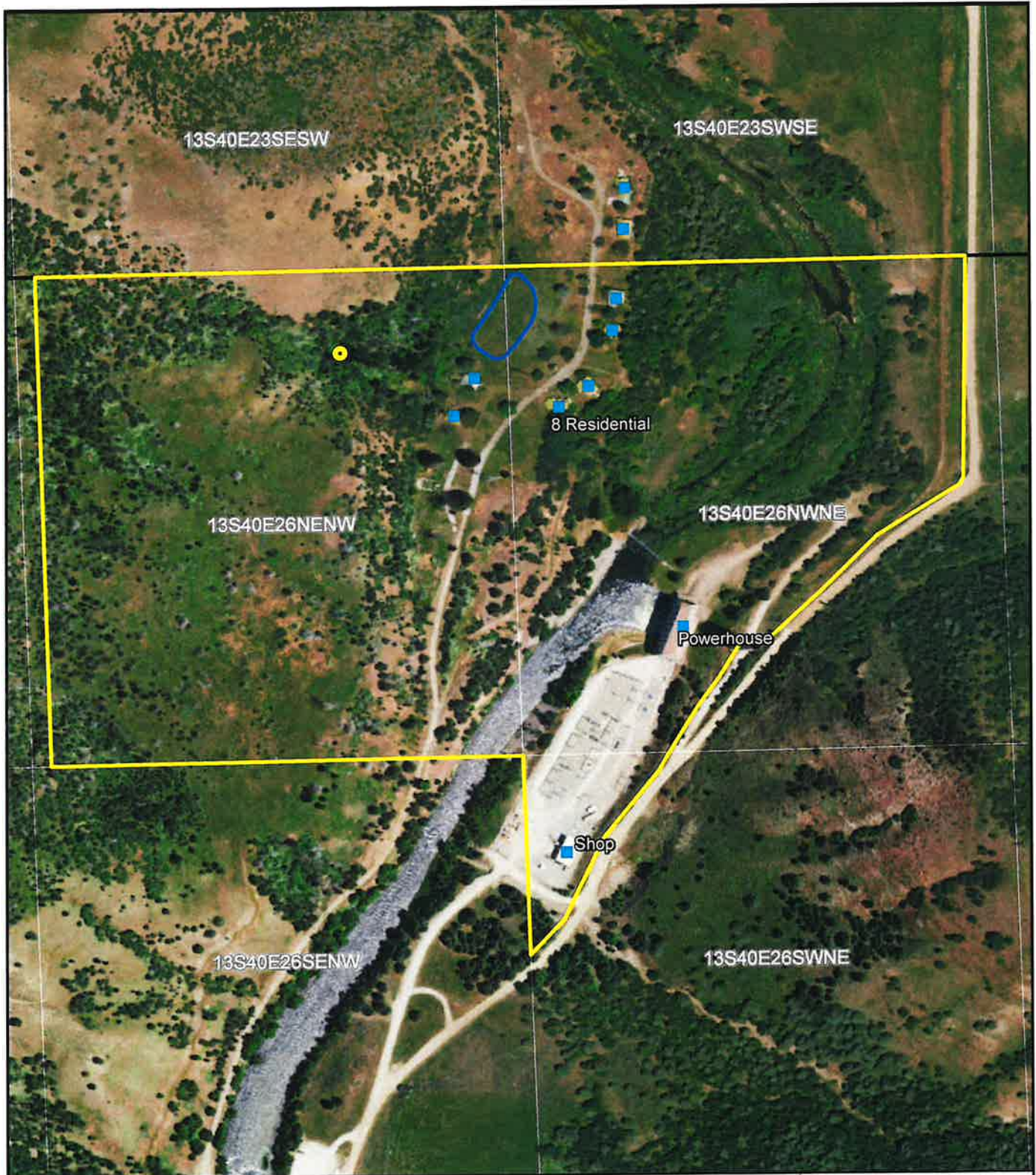
Separate claim filed for a small contribution to pond from spring on BLM property to the north or None (☐)

13. Remarks (Include an explanation of the priority date selected):

Priority based on decreed right 13-893. Originally, 14 homes made up the employee housing "camp" at the Oneida project. In 2017, 8 houses remained. At least 2 of the original 14 were on BLM property and are not considered in the place of use for this claim. Others were torn down.

Minor irrigation of up to 1/2 acre per home was used around individual homes, though most did not reach 1/2 acre. Irrigation also occurred in common areas including a large garden. Between 2019 to 2021, PacifiCorp created a pond in the same location as the garden- see historic map attached. The pond was created for wetland mitigation. This is an accomplished change that modified the use(s) of the water as originally decreed to reduce overall irrigation and include the pond. Domestic irrigation still occurred around homes. Water from the springs is directed into the lined pond and what is not needed for maintenance of evaporation flows through a pipeline to the river. The volume of water does not exceed that which was decreed. A small portion of water that feeds into the pond comes from a spring on BLM property to the north. A separate claim is filed for that water. Claim 13-4337 covers some of this same use and source. 13-4337 will NOT be submitted.

Name of claimant(s) PacifiCorp Claim ID _____



- Point of Diversion
- POU - Wildlife Storage
- POU - Domestic
- Connections
- Townships
- PLSS Sec
- PLSS QQ

Oneida Hydroelectric Project

Water Right
Claim Number: 13-893

0 250 500 1,000 Feet



Source Data:
Base Maps
USDA FSA NAIP Program 2015
IDWR Cadastral Survey 2017
POU and POD User Generated

Projection:
UTM NAD83 Z12

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License () Permit () Decree (☒)

Court Eastern Div-Idaho Decree Date July/14/1920 Plaintiff v. Defendant Utah Power Vs Last Chance

If applicable provide IDWR Water Right Number 13-893

15. **Signature(s)**

- (a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."
(b.) I/We do (☒) do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____
_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Water Rights Administrator of PacifiCorp
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Buffi Morris Date 4/25/2025

Printed Name of Authorized Agent Buffi Morris

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) PacifiCorp Claim ID _____

PacifiCorp

Oneida Pond

Pond Dimensions

Surface Area 0.5 ac

Max Depth 3.5 ft

Estimated Volume 0.70 af

[Surface area (ac) x Max Depth (ft) x 0.4 = Volume (ac-ft)]

Seepage

Lined Pond - No seepage

Evaporation

Using ET Idaho values from: Preston 3NE (NWS - USC00107346)

Precipitation Deficit

Station: Preston 3NE (NWS - USC00107346)

Month	mm/day ¹	Days per month	mm/Month
Jan	-0.79	31	0.00
Feb	-0.61	28	0.00
March	0.31	31	9.61
April	1.15	30	34.50
May	1.54	31	47.74
June	3.27	30	98.10
July	3.92	31	121.52
August	3.48	31	107.88
September	1.74	30	52.20
October	0.44	31	13.64
November	-0.23	30	0.00
December	-1.01	31	0.00

PLEASE NOTE: The monthly average for precipitation should not be used for calculations because precipitation often exceeds evaporation during wetter months of the year. If the pond is kept full, excess precipitation during wet months does not serve to refill the pond during drier months.

For example, see Sandpoint KSPT (NWS - 108137), the annual precipitation deficit is -106 mm. However, from March through September have positive precipitation deficit. To properly estimate the annual volume of water needed to refill a pond due to evaporation losses, the table automatically enters a zero (0) for each month that the precipitation value is reported as a negative value.

As described above, precipitation offsets evaporation losses during winter months, so the net effect is that wintertime precipitation deficit is usually zero.

Total mm/year = 485.19

[(mm/yr) ÷ (convert to feet)] X (Surface area of pond, in acres) = Evaporation Loss in Acre Feet

[485.19 ÷ 304.8] X 0.52 = 0.8 AFA

Acres Required to Dry Up

Evap Losses 0.8 afa

Pond Fill 0.7 afa

Total Required 1.5 afa

Original Surface Cover - Uncertain, but likely to be one of the following

Crop Type	ET (afa/ac)	Acres To Dry
Garden Vegetables	1.98	0.76
Wetlands-Lg Stand	2.21	0.68

Regardless of the original land use cover, the footprint of the pond plus some other areas now removed from direct irrigation exceeds the number of acres required to dry up in order to avoid enlargement.



Current Pond Extent

Water Right
Claim Number: 13-893

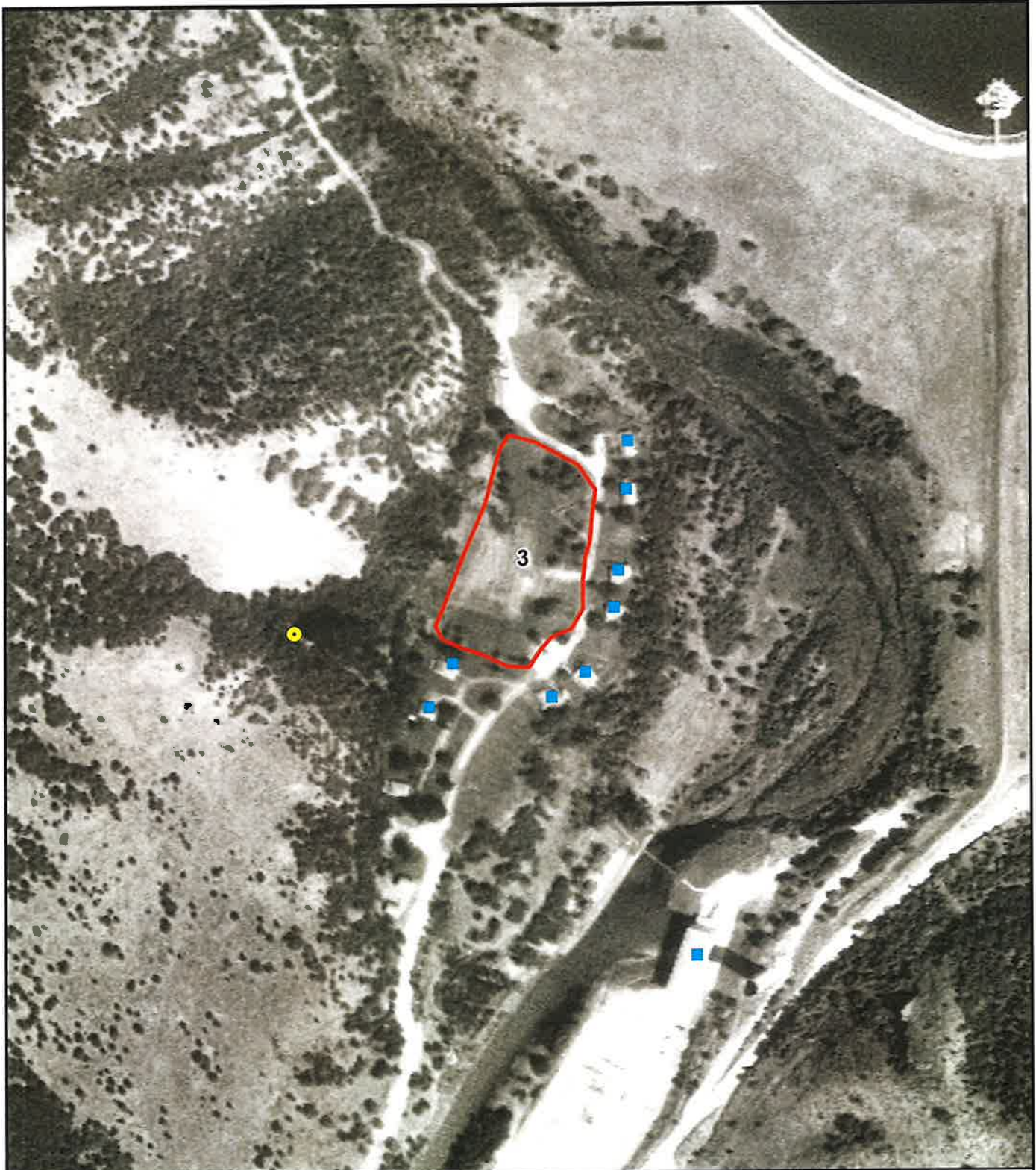
0 75 150 300 Feet

-  Point of Diversion
-  POU - Wildlife Storage
-  POU - Domestic
-  Connections



Source Data:
Base Maps
USDA NAIP 2023

Projection:
UTM NAD83 Z12



**Historical Irrigation
Vegetable Garden**
Water Right
Claim Number: 13-893

-  Point of Diversion
-  Historical Irrigation - Garden
-  Connections

0 220 440 880 Feet



Source Data:
Base Maps
DOQ 1992

Projection:
UTM NAD83 Z12

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of the poor quality of original from wear & tear.
11-2
original copy

In the District Court of the United States for the
District of Idaho, Eastern Division.

UTAH POWER & LIGHT COMPANY,
Plaintiff
vs.
THE LAST CHANCE CANAL COMPANY,
Limited, et. al.
Defendants.

In Equity
No. 203.

FINAL DECREE

Before HON. F. S. DIETRICH,
District Judge.

W. D. McREYNOLDS,
Clerk.

By PEARL ZANGER,
Deputy.

MAY 14 1996

In Equity No. 203

**In the District Court of the United States
for the District of Idaho, Eastern Division**

UTAH POWER & LIGHT COMPANY, a Corporation, *Plaintiff,*

vs.

The Lost Chance Canal Company, Limited; The Tanner Canal Company, Limited; The Central Canal Company, The North Extension Canal Company, Limited; West Branch Canal Company, Limited; The Turner Canal Company, Limited; The East Branch Canal Company, The Bench Canal, and Budge Land & Live Stock Company, Limited, corporations; W. H. Larkins, Jas. Ellsmore, Geo. Hogan, Lewis S. Pond and Alex Harris as Trustees of the Gentile Valley Irrigation Company, Limited, late a corporation; The Thatcher Irrigation Company, Limited, a corporation; Nathan D. Thatcher, J. A. Folkman, Milton Robbins and Geo. M. Smith, as Trustees of Thatcher Canal & Power Company, Limited, late a corporation; Nelson Ditch Company, a corporation; A. J. Nielson, B. B. Meek, Henry McQueen, C. S. Burton and Eli Fosgreen, as Trustees of Riverdale-Preston Irrigation Company, late a corporation; The Riverdale Irrigating Company, Nielson-Meek Company and West Cache Irrigation Company, corporations; E. P. Johnson, Albert Johnson, Hyrum Johnson, Geo. D. Anderson, Joseph T. Pond, Frank W. Harris, A. C. Rosen, Hyrum J. Smith, John E. Hull, Melvin Green, Robert L. Smith, Charles Westerhurg, Peter Westerhurg and David P. Evans.

Horace Howard, Henry Rhinehart, Harvey W. Higley, James Monroe (or Munro), Nellie Simmons, John Baird, William Monroe (or Munro), Orrin Monroe (or Munro), Charles Monroe (or Munro), Charles Foster, Hyrum Foster, Mary Baird, John Woodall (or J. D. Woodall), George Ellis, Skinner Irrigation Company, a corporation; Heber Crane, Fred Bartachi, Charles Bartachi, David Chugg, Phillip Chugg, Fred Stauffer, William Williams, Sr. (or William Morgan Williams), William Williams, Jr. (or William Mormon Williams), Oliver Williams, E. M. Lindsay, Georgetown Irrigation Company, a corporation, and Thomas Freeman.

MAV 4 1906

RAFT January 28, 2000

13-04333	0.04 cfs	06/01/1905	Claim	Domestic	Grace Hydro
13-04334	0.01 cfs	06/01/1905	Claim	Irrigation	Grace Hydro
RIGHT NO.	AMOUNT	PRIORITY DATE	STATUS	TYPE OF USE	PLACE OF USE
13-04335	0.06 cfs	05/01/1905	Claim	Irrigation	Grace Hydro
13-04336	0.25 cfs	05/01/1905	Claim	Domestic / Irrigation	Grace Hydro
13-00893	0.07 cfs	06/01/1913	Decree	Domestic	Oneida Hydro
13-00967	1000 cfs	06/17/1910	Decree	Power	Oneida Hydro
13-00968	1500 cfs	01/18/1911	Decree	Power	Oneida Hydro
13-04129	700 cfs	01/01/1910	License	Power	Oneida Hydro
13-04337	0.08 cfs	06/17/1910	Claim	Domestic	Oneida Hydro
13-04338	0.08 cfs	06/17/1910	Claim	Irrigation	Oneida Hydro
13-00962	1500 cfs	03/09/1916	Decree	Power	Cove Hydro
13-00963	4000 af	03/28/1916	Decree	Power	Cove Hydro
13-00976	270 cfs	12/01/1903	Decree	Power	Cutler Hydro

13-0887 DATE OF PRIORITY *trans #864* AMOUNT IN SECOND FEET
~~11-0887~~ (d) 1895-June 1 1.4 c.f.s.
 0888
~~11-0888~~ (e) 1870-June 1 5 c.f.s.
~~11-0888~~ (f) 1904-Jan. 1 *trans #863* (14) c.f.s.
 0889 *trans #864*

POINT OF DIVERSION AND PLACE OF USE

To be diverted from said Cottonwood Creek through the Eldridge ditch.

To be diverted from said Cottonwood Creek through ditches diverting therefrom on the lands hereinafter described, for the irrigation of 624 acres in Section 36, Township 12 South, Range 41 East, and Lots 3 and 4 and the East half of the Southwest quarter of Section 31, Township 12 South, Range 41 East, B.M.

Should be R 40 E see maps Tgt. 7-7-92

DEVILS DIVE CREEK, a tributary of Cottonwood Creek.

459. Ole Hansen, Henry Larsen, George A. Smith, William Smith, Antone Nelson, Charles Christensen, Associates known as the Upper Cleveland Irrigation Company, substituted for Ole Hansen, Henry Larsen, and Geo. A. Smith:

0890
~~11-0889~~ 1894-June 1 3.5 c.f.s.
~~11-0889~~ 1904-Jan. 1 4.0 c.f.s.
 0891

To be diverted from said Devils Dive Creek where the said stream crosses the lands hereinafter described, for the irrigation of 400 acres in the East half of the Northwest quarter, the North half of the Northwest quarter, Section 35, in the East half of the Northeast quarter of Section 34, the Northwest quarter of the Northwest quarter of Section 35, the Southwest quarter of the Southwest quarter of Section 36, and the South half of the Southeast quarter of Section 27, and the West half of the Northeast quarter of Section 34, Township 12 South, Range 40 East, B. M. The interests of the associates are as follows:

Ole Hansen 105/505ths.
 Henry Larsen 150/505ths.
 George A. Smith 97.5/505ths.
 William Smith 97.5/505ths.
 Antone Nelson and Charles Christensen 55/505ths.

0892 460. George A. Ransom and Nathan Smith:
~~11-0889~~ 1904-Jan. 1 3 c.f.s.

To be diverted from the said Devils Dive Creek where the said stream crosses the lands hereinafter described for the irrigation of 160 acres in Sections 27 and 22, Township 12 South, Range 40 East, B.M.

UNNAMED SPRINGS.

In Northwest quarter Section 26, Township 13 South, Range 40 East, B.M.

0893
~~11-0889~~ 461. Utah Power & Light Company:
 1913-June 1 0.07 c.f.s.

To be diverted from four small springs in the northwest quarter of Section 26,

MAY 14 1996

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

Township 13 South, Range 40 East, B.M., for domestic and culinary purposes in and around the Oneida power plant, and the dwellings and camps, built in connection therewith, said rights to be continuous throughout the year.

~~11-0834~~ 13-0894 MINK CREEK
462. Mink Creek Irrigation Company
Number One:

1882—May 1:
Apr. 20 to July 25 10.5 c.f.s.
July 25 to Sept. 1 7.0 c.f.s.
Sept. 1 to Sept. 30 5.25 c.f.s.

To be diverted through Ditch Number One diverting from said Mink Creek in the Southeast quarter of Section 28, Township 13 South, Range 41 East, B.M., for the irrigation of 525 acres in Sections 28, 32 and 33, Township 13 South, Range 41 East, and Sections 5, 6 and 7, Township 14 South, Range 41 East, and Section 12, Township 14 South, Range 40 East.

~~11-0835~~ 0895
463. Mink Creek Irrigation Company
Number Three, successor in
interest to Lewis Keller, et al:

1882—May 1:
Apr. 20 to July 25 6.0 c.f.s.
July 25 to Sept. 1 4.0 c.f.s.
Sept. 1 to Sept. 30 3.0 c.f.s.

To be diverted through Ditch Number Two diverting from said Mink Creek in the Northeast quarter of Section 32, Township 13 South, Range 40 East, for the irrigation of 300 acres in Sections 30, 31 and 32, Township 13 South, Range 41 East.

~~11-0836~~ 0896
464. Mink Creek Irrigation Company
Number Four, successor in
interest to James M. Keller,
et al:

1882—May 1:
Apr. 20 to July 25 13.1 c.f.s.
July 25 to Sept. 1 9.93 c.f.s.
Sept. 1 to Sept. 30 6.55 c.f.s.

To be diverted through Ditch Number Four diverting from said Mink Creek near the East quarter corner of Section 22, Township 13 South, Range 41 East. For the irrigation of 655 acres in Sections 19, 20, 27, 28, 30, 31, 32 and 33, Township 13 South, Range 41 East, and Sections 25 and 36, Township 13 South, Range 40 East, and Section 6, Township 14 South, Range 41 East.

~~11-0837~~ 0897
465. Peoples Dairy Company:
1882—May 1 10.0 c.f.s.

For power purposes only. To be diverted from and returned to said Mink Creek in Section 31, Township 13 South, Range 41 East, B.M.

~~11-0838~~ 0898
466. Christina Nelson:
1882—May 1
Apr. 20 to July 25 0.6 c.f.s.
July 25 to Sept. 1 0.4 c.f.s.
Sept. 1 to Sept. 30 0.3 c.f.s.

To be diverted from said Mink Creek in Section 31, Township 13 South, Range 41 East, for the irrigation of 30 acres of land in Section 6, Township 14 South, Range 41 East.

~~11-0839~~ 0899
467. Maloney-Lanson:
1882—May 1 10.0 c.f.s.

To be diverted from said Mink Creek in the Northwest quarter of Section 7, Town-

All the foregoing reservations of jurisdiction shall extend after the term at which this decree is entered, and during any subsequent term prior to January 1, 1924, at which time, or at such earlier time as the court may determine these matters, this decree shall be closed. In all other respects this decree shall be final.

The court further retains jurisdiction, however, at all times, and from time to time, to make all reasonable rules touching the manner of diverting, measuring and distributing the waters, and the devices to be installed and used for such purposes where it may be impracticable to fully comply with the terms of this decree, and to direct that the parties keep accurate and detailed records of the amounts of water diverted, and to require reports to be filed from time to time of the amount so diverted, and generally to make such orders as may be found reasonably necessary to give effect to the decree, and to appoint commissioners or water masters to make distribution in accordance with its terms, and to punish the parties hereto, their officers, agents and employees, and their grantees and successors in interest, for any violation of the provisions thereof.

Done in open court this 14th day of July, 1920.

FRANK S. DIETRICH,
Judge.

MICROFILMED

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Claimant:
Claim ID:

PacifiCorp	Oneida
13-893	

De Minimis
De Minimis Stock (> 4th claim)
Non-De Minimis
Irrigation
Power Generation
Aquaculture
Dom. & Stock (>13k gpd),
Municipal, industrial,
commercial, mining, heating,
cooling
Public instream flow, public lake
level maintenance, wildlife
Fire protection
Groundwater recharge

Rate/Unit	Unit	# Units	\$ Amount
\$25 Claim	Claim		
\$0 Claim	Claim		
\$50 Claim	Claim	1	\$50.00
\$1 Acre	Acre		
\$3.50 KW of Capacity	Capacity		
\$10 cfs	cfs		
\$100 cfs	cfs		
\$100 cfs	cfs	0.02	\$2.00
\$0 cfs	cfs		
\$0 cfs or afa	cfs or afa		

Total

\$52.00

**Duplicate this worksheet once
for each claim.**

Note:

0.02 cfs for Wildlife Storage

FILING FEES

Each claim submitted must include the filing fee. The filing fee for domestic and/or stockwater use claims diverting less than 13,000 gallons of water per day is \$25.00. However, if you are filing more than four (4) claims in which the only purpose of use listed is stockwater, only the first four (4) claims require the \$25.00 filing fee. All additional stockwater claims are fee exempt once the \$100.00 in filing fees has been paid for the first four (4) stockwater only claims filed after July 1, 2017.

The flat fee for filing all other claims filed is \$50.00 per claim. An additional variable filing fee based upon acreage, power generating nameplate capacity, cubic feet per second (cfs) amount, or an equivalent volume of storage water is required for claims for water uses other than domestic and/or stockwater uses diverting less than 13,000 gallons of water per day. Use Table 3 to calculate the variable fee. Add the calculated variable fee to the \$50.00 flat fee to determine the total fee for the claim. The exceptions are fire protection or ground water recharge which have a \$50.00 flat fee, and no variable fee.

Examples for a single claim to a water right with single source and same priority date:

Single family domestic and stockwater use, less than
13,000 gallons per day in total \$25.00
100 acres irrigation, domestic and stockwater as above \$150.00
Fish propagation, 4.2 cfs \$92.00
Multiple family domestic, 1.6 cfs,
irrigation of yards and gardens, 14 acres \$224.00

TABLE 3. VARIABLE FEE SCHEDULE

Irrigation	\$1.00 per acre	Each acre is charged only once.
Power generation	\$3.50 per kilowatt of capacity	Manufacturer's nameplate rating, or \$250,000.00, whichever is less
Aquaculture	\$10.00 per cfs	
Domestic, stockwater use in excess of 13,000 gallons per day	\$100.00 per cfs	
Municipal, industrial, commercial, mining, heating, cooling	\$100.00 per cfs	
Public instream flow, public lake level maintenance, wildlife	\$100.00 per cfs	
Exceptions: No variable fee is charged for fire protection or ground water recharge.		

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4/23/2025

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APR 28 2025

IDWR/Preston

BRBA Claim Fee Summary for Non-Power Claims

Claimant: Pacificorp

Claim #	Claim ID	\$ for Claim	Notes
1	New Claim - N. Lifton	\$98.00	Single family home, office, shop, and cooling water in plant
2	Paris Domestic	\$25.00	de minimis domestic
3	New Domestic - Hubbard's	\$25.00	2 houses - in-house use only
4	13-4336	\$52.00	2 irrigated acres
5	13-7934	\$74.00	Industrial 0.24 cfs
6	13-4333	\$25.00	de minimis domestic
7	13-4334	\$52.00	1.5 irrigated acres
8	13-7787	\$170.00	12 cfs for fish habitat
9	13-4335	\$57.00	6.2 irrigated acres
10	13-7701	\$56.00	6 irrigated acres
11	13-7702	\$60.00	10 irrigated acres
12	13-7998	\$60.00	1 cfs for Aquaculture
13	13-7996	\$60.00	1 cfs for Aquaculture
14	13-7700	\$54.00	4 irrigated acres
15	13-4338 Split for Day Use	\$52.00	1.3 irrigated acres
16	13-4338 Split for Lawns by	\$51.00	1 irrigated acre
17	13-893	\$52.00	0.02 cfs for Wildlife Storage
18	New Claim - BLM Spring	\$52.00	0.02 cfs for Wildlife Storage
19	Stockwater Claims	\$100.00	26 Stockwater Claims
	Total	\$1,175.00	