

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: 13-7998

Date Received: 4-28-25

Receipt No: P002003

Claim Fee: 60.00 By: mb

RECEIVED

APR 28 2025

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

IDWR/Preston

Please type or print clearly

1. Name of claimant(s) PacifiCorp Phone (801) 220-7803

Mailing address 1407 W North Temple STE 110 Salt Lake City, UT Zip 84116
Street or Box City State

Email address (optional) buffi.morris@PacifiCorp.com

2. Date of priority: (Only one per claim) March/28/1916 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) Bear River
which is tributary to (b) Great Salt Lake

4. a. Location of point of diversion is: Township 10S, Range 40E, Section 28,
SW 1/4 of SW 1/4, Govt. Lot _____, BM, County of Caribou

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.

Diversion is by spring box with over-flow to Bear River. From the Spring Box into a pipeline to the Upper & Lower Cove Ponds. The pipeline discharges into both ponds through lockable gate valves into stilling sluice boxes to Rectangular Broad Crested Weirs and into each pond through step-down sluice boxes. The water flows from both ponds, combines and discharges into a ditch that flows into the Bear River.

6. Water is claimed for the following purposes:

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

For Fish Propagation Storage purposes from 1/1 to 12/31 amount _____ or 2.8

For Diversion to Storage purposes from 1/1 to 12/31 amount 1 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1 (cfs) and/or (b) 2.8 (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) Fish Propagation Storage - 2 ponds with combined surface area of 0.5 acre

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	
10S	40E	33					H	H											

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

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

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.

13-7996 for Fish Propagation or None (☐)

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

1. Priority date: Consistent with the court decree in *Utah Power & Light Co. v. Last Chance Canal Co., Ltd.*, (D. Idaho July 14, 1920) (In Equity No. 203) ("Dietrich Decree"), and further recognized in *Utah Power & Light Co. v. Richmond Irrigation Co.* (1st. Jud. Dist. Utah Feb 21, 1922) ("Kimball Decree").

2. This claim reflects the administrative source, physical source, and exchange approved and documented per approved Transfer 81756. The mapped place of use reflects the location of the completed ponds, which are now visible on aerial photography.

Name of claimant(s) PacifiCorp Claim ID _____

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 & Light v. Last Cha

If applicable provide IDWR Water Right Number 13-7998 (parent 13-963)

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: _____

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

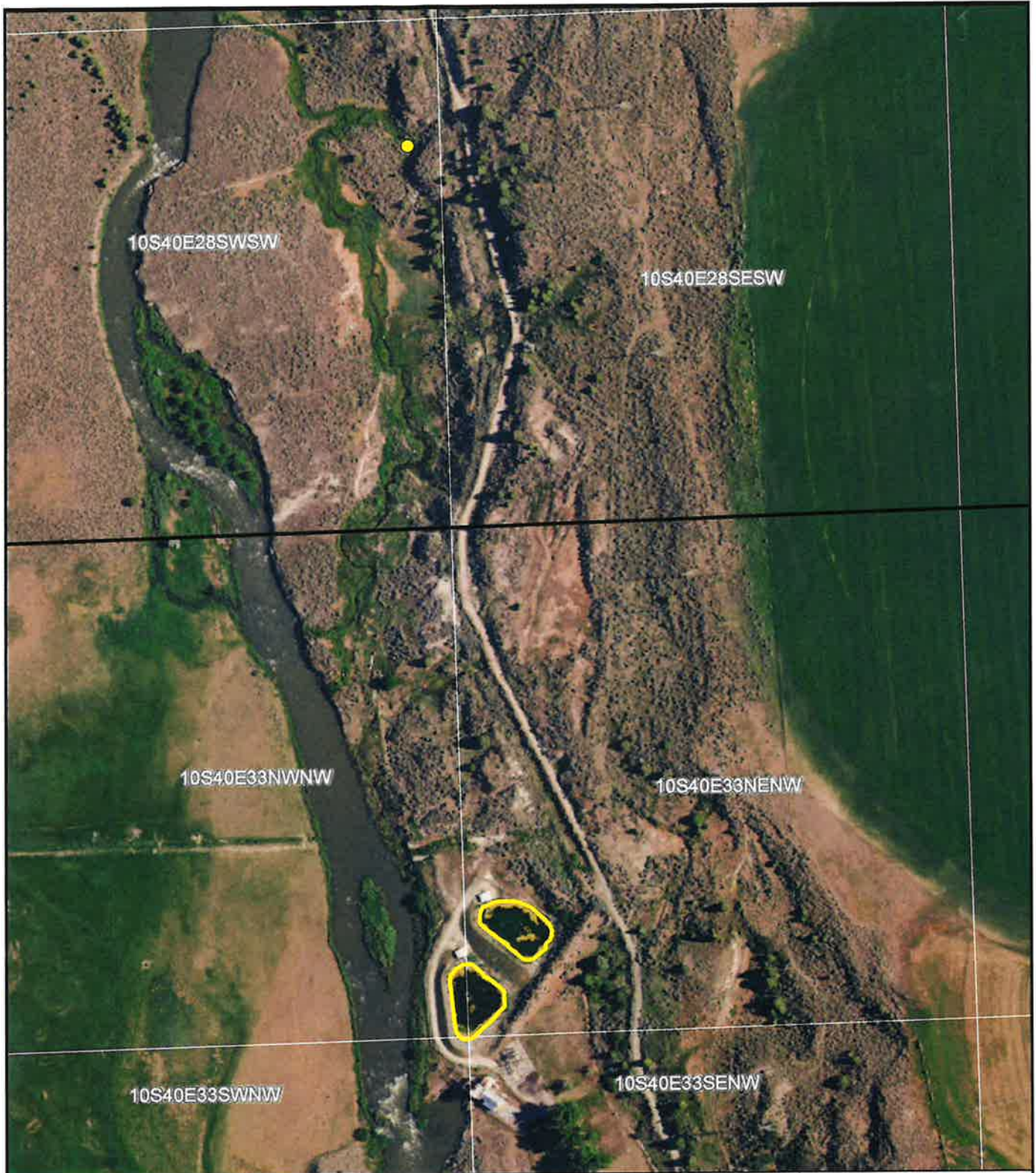
16. **Notice of Appearance:**

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 _____



-  Point of Diversion
-  Place of Use
-  PLSS Sec
-  PLSS QQ

PacifiCorp
Cove Ponds
Water Right
Claim Numbers: 13-7996, 13-7998

0 200 400 800 Feet

Source Data:
Base Maps
USDA FSA NAIP Program 2021
IDWR Cadastral Survey 2017
POU and POD User Generated

Projection:
UTM NAD83 Z12

Claimant:
Claim ID:

PacifiCorp	Cove
13-7998	

	Rate/Unit	Unit	# Units	\$ Amount
De Minimis	\$25 Claim			
De Minimis Stock (> 4th claim)	\$0 Claim			
Non-De Minimis	\$50 Claim		1	\$50.00
Irrigation	\$1 Acre			
Power Generation	\$3.50 KW of Capacity			
Aquaculture	\$10 cfs		1	\$10.00
Dom. & Stock (>13k gpd), Municipal, industrial, commercial, mining, heating, cooling	\$100 cfs			
Public instream flow, public lake level maintenance, wildlife	\$100 cfs			
Fire protection	\$0 cfs			
Groundwater recharge	\$0 cfs or afa			
Total				\$60.00

Duplicate this worksheet once for each claim.

Note:
1 cfs for Aquaculture

2.8 afa
365 days/yr

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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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	