



IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

March 20, 2025

JAMES B HARDCASTLE
1075 MAIN ST
BERN ID 83220

Re: Request for Extension of Time to File Adjudication Claim(s)
Bear Lake Storage Water

Dear Claimant(s),

The Request for Extension of Time to File Adjudication Claim(s) has been approved and is enclosed. The new filing deadline is **October 31, 2025**.

Please enclose a copy of the approved extension request form when filing your claim.

Respectfully,

Christopher Holmes
Water Resources Supervisor
325 E 600 S Ste 300
Preston, ID 83263
Christopher.Holmes@idwr.idaho.gov

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

IDWR/Preston

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time to file an adjudication claim as allowed under Section 42-1409(8), Idaho Code.

James B. Hardcastle
Name of Claimant 208 709-6122
Phone Number
1075 Main St.
Mailing Address hardcastlejs1976@gmail.com
E-mail Address
Bern ID 83220
City State Zip
Bear Lake December 8, 2023
County(ies) where place of use is located Date claim originally due
TBD
Identify water right(s) for which extension is requested

State why an extension of time is requested, explaining how a diligent effort has been made to meet the deadline:

See attached.

Claimant requests an extension to October 31, 2025, 20

James B. Hardcastle
Signature March 17, 2025
Date of request
owner / operator
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

BRBA staff will be working on Basin 11 claim evaluation before the extension date. This will allow staff time to review and include the claimant's claims in the Director's Report.

and if granted the filing deadline is extended to October 31, 20 25

Signed this 20 day of March, 20 25

Christopher Holmes
Director or his designated agent

Mail to: Idaho Department of Water Resources
322 E. Front St., PO Box 83720
Boise, ID 83720-0098

**Note: Pacific Corp's approved extension date is July 1, 2025 not July 31, 2025. This approval is for Bear Lake storage water as described in attachments.*

RECEIVED

MAR 17 2025

Attachment to Second Request for Extension of Time to File Adjudication Claims

IDWR/Preston

Claimant owns irrigated farmland, or is a canal company that serves irrigated farmland, in the Bear River Basin. Claimant owns storage water in Bear Lake that it applies to beneficial use for irrigation purposes. The Bear River Basin Adjudication (BRBA) Court has issued a Commencement Notice for Basin 11, mailing Group 2, which encompasses Bear Lake.

Claimant filed and obtained an extension to March 31, 2024, to file its adjudication claims. As explained in Claimant's first request for extension to file adjudication claims, Claimant claims equitable title to storage in Bear Lake in accordance with *U.S. v. Pioneer Irrigation District*, 144 Idaho 106 (2007). Based on that decision, PacifiCorp holds nominal legal title and Claimant holds equitable title to storage water in Bear Lake. Claimant anticipates that PacifiCorp will file claims in the BRBA to Bear Lake storage and will be the named owner of the storage water right in Bear Lake, and that Claimant's equitable title will be memorialized with a condition on PacifiCorp's partial decree as prescribed in *U.S. v. Pioneer Irrigation District*.

If Claimant's interest is memorialized with a proper condition, it will be unnecessary for Claimant to file a separate claim to a storage water right in Bear Lake. Claimant filed and obtained its first extension to file adjudication claims in order to defer Claimant's filing deadline until after PacifiCorp files its adjudication claim for Bear Lake storage water. At the time Claimant filed its first extension request, PacifiCorp had filed and obtained an extension until December 31, 2024, to file its adjudication claims. Claimant obtained an extension to March 31, 2025, to afford ample time for Claimant to review PacifiCorp's adjudication claim for Bear Lake storage and determine whether it is necessary for Claimant to file a separate claim.

It has come to Claimant's attention that PacifiCorp filed and obtain a second extension to file its adjudication claims, extending its filing deadline to July 31, 2025. Claimant will need to review PacifiCorp's claims in order to determine whether it is necessary for Claimant to file separate claims to storage in Bear Lake. Therefore, Claimant requests, pursuant to Idaho Code Section 42-1409(8), that the time for filing Claimant's notice of claim for storage water in Bear Lake be extended to October 31, 2025.