



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 13, 2025

BEAR RIVER SMALL IRRIGATORS OF IDAHO
3699 N 1600 E
PRESTON ID 83263

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

Cc: RACINE OLSON
THOMAS J BUDGE
PO BOX 1391
POCATELLO ID 83204

RECEIVED

Form 42-1409(8)
10/2023Date Received MAR 12 2025

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.

Bear River Small Irrigators of Idaho (208) 251-8862
 Name of Claimant Phone Number
 3699 N. 1600 E. 7mlcattle@gmail.com
 Mailing Address E-mail Address
 Preston ID 83263
 City State Zip
 Bear Lake, Caribou, Franklin 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

Thomas V. Bunge March 12, 2025, 20
 Signature Date of request

Attorney
 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 approved extension date.
This will allow staff to review and include claimant's claims in the Director's Report.

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

Signed this 13 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: Pacificorp's approval extension date is July 1, 2025 not July 31, 2025.
 This extension is for Basin 11 Bear Lake storage water as described in attachments.

RECEIVED

MAR 12 2025

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

IDWR/Preston

Bear River Small Irrigators of Idaho (Claimant) consists of farmers who have entered into contracts with PacifiCorp to use storage water from Bear Lake to irrigate farmland in the Bear River Basin. Claimant is allocated storage annually for use by its members pursuant to the Bear Lake Storage Water Delivery Agreement between Claimant and PacifiCorp dated April 7, 2005. Claimant's members, as holders of individual storage water contracts with PacifiCorp, may file adjudication claims individually to preserve their interest in Bear Lake storage. In addition, or alternatively, Claimant may file an adjudication claim on behalf of its members collectively pursuant to the Bear Lake Storage Water Delivery Agreement.

Claimant and/or its members claim 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 and/or its members hold 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 the equitable title of Claimant and/or its members will be memorialized with a condition on PacifiCorp's partial decree as prescribed in *U.S. v. Pioneer Irrigation District*.

If Claimant's and/or its members' interest is memorialized with a proper condition, it will be unnecessary for Claimant and/or its members to file a separate claim to a storage water right in Bear Lake. PacifiCorp has obtain an extension to July 31, 2025, to file its adjudication claims for storage water in Bear Lake. Claimant will need to review PacifiCorp's claims in order to determine whether it is necessary for Claimant and/or its members 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 and/or its members to file a notice of claim for storage water in Bear Lake be extended to October 31, 2025.