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SEP 13 2023

DEPARTMENT OF
WATER RESOURCES

Date Received 9/13/2023

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

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.

PACIFICORP, AN OREGON CORPORATION (801) 220-7803
Name of Claimant Phone Number
1407 W NORTH TEMPLE STE 110 SALT LAKE CITY UT 84116
Mailing Address City State Zip
Caribou and Bear Lake October 20, 2023 & December 8, 2023
County(ies) where place of use is located Date claim originally due
Please see attachment.
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:

Please see attachment.

Claimant requests an extension to: December 31, 2024

Gina M. Ma September 13, 2023
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:

and if granted the filing deadline is extended to December 31, 20 24

Signed this 15th day of September, 2023

Craig L. Smith
Director or his designated agent

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

Attachment to PacifiCorp's Request for Extension of Time to File Adjudication Claims in the Bear River Basin Adjudication

Bear River Basin Adjudication (BRBA) claimant PacifiCorp is seeking an extension of time to file Notices of Claims for all of PacifiCorp's water rights in Basin 11, Group 1 and Group 2, with a place of use identified as Bear Lake and Caribou Counties. Such rights include but are not limited to:

11-86
11-228
11-242
11-248
11-249
11-250
11-251
11-1096
11-1104
11-1114
11-1115
11-1116
11-1117
11-2081
11-2084
11-2128
11-4004
11-4354
11-4355
11-4356
11-4357
11-4358
11-4359

Currently, the filing deadline for Group 1 is October 20, 2023, and the filing deadline for Group 2 is December 8, 2023. **PacifiCorp is requesting an extension to December 31, 2024**, to file its notices of claims for Groups 1 and 2.

PacifiCorp operates the "Bear River System". The "Bear River System" is composed of the "Bear Lake Facilities" and the "Downriver Facilities." The Bear Lake Facilities are the existing facilities used by PacifiCorp today to divert water from the Bear River and to store and release water from the Bear Lake Reservoir (Bear Lake and Mud Lake). The Bear Lake Facilities include Stewart Dam, Rainbow Canal, Rainbow Canal Headgate, Ream-Crockett Canal Intake, Ream-Crockett Canal, Bear Lake Causeway Inlet, Outlet Canal, Outlet Canal Headgates, Lifton Pump Station and Bear Lake Reservoir itself. The Downriver Facilities are PacifiCorp's hydroelectric and other facilities located on the Bear River below the Outlet Canal discharge.

The Bear River is an interstate river with a number of tributaries in the states of Utah, Wyoming and Idaho. Construction of the Bear River System was authorized by the Secretary of the Interior in 1907. Construction of the Bear River dams began in 1909 and was completed in 1927. Utah Power & Light, PacifiCorp's predecessor in interest, acquired water rights from various holders during these years in exchange for perpetual contracts to deliver certain amounts of irrigation water released from Bear Lake Reservoir. Management and delivery of PacifiCorp's water rights in the Bear River System are governed by court decrees, the Bear River Compact (as revised), contracts and other agreements.

PacifiCorp has and continues to make diligent efforts to investigate its claims. PacifiCorp has assigned several employees to work on the BRBA and has engaged consultants such as Rocky Mountain Environmental Associates and outside legal counsel to assist with investigation and confirmation of claims. Based on research to date, PacifiCorp believes it has over 50 claims to investigate in preparation for filing notices of claims in the BRBA. Given the number of claims, the interstate nature and complexity of the Bear River System, the 100+ year history of the Bear River System, the applicable court decrees in the Bear River Basin, and the numerous compacts and agreements involved, PacifiCorp is seeking more time to complete its investigation of its Groups 1 and 2 claims in the BRBA.

Further, as the Department is aware, PacifiCorp is pursuing development of pumped storage projects on the Bear River. This endeavor is consuming substantial resources and requires special attention and additional investigation to ensure BRBA claims are compatible with these projects and any associated applications.

PacifiCorp does not wish to inconvenience the Department and understands the Department's strong preference to receive and investigate claims well before issuance of a Director's Report. Based upon information provided in BRBA court filings, we understand the Director's Report for Basin 11 is anticipated to be published some time in 2026. A deadline of December 31, 2024, will provide at least one year for the Department to complete its investigation of PacifiCorp's claims. If this deadline is not acceptable to the Department, please let us know and PacifiCorp will work with the Department to set mutually agreeable deadlines for filing its notices of claims.