

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 76N 125800-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners: AVISTA CORPORATION
PO BOX 3727 MSC-1
SPOKANE, WA 99220-3727

Priority Date: AUGUST 11, 1952

Enforceable Priority Date: AUGUST 11, 1952

Type of Historical Right: USE

Purpose (use): POWER GENERATION
CABINET GORGE HYDROELECTRIC PROJECT

THE AUGUST 27, 1986 DECISION IN CASE 76N-46 STATES THAT THIS GENERAL POWER GENERATION DESCRIPTION INCLUDES RESERVOIR STORAGE AND RELEASE FOR POWER GENERATION AND REREGULATION OF THE FLOWS IN THE CLARK FORK RIVER AND TO PROVIDE HYDRAULIC HEAD FOR POWER GENERATION.

Maximum Flow Rate: 36,000.00 CFS

THE AUGUST 27, 1986 DECISION IN CASE 76N-46 STATES: 36,000.00 CUBIC FEET PER SECOND FOR POWER GENERATION AND FOR RESERVOIR STORAGE CONTINUOUSLY THROUGH OUT THE YEAR.

Maximum Volume: 99,978.00 AC-FT

THE AUGUST 27, 1986 DECISION IN CASE 76N-46 DESCRIBES THE VOLUME AS FOLLOWS:

-PERTAINING TO RESERVOIR STORAGE AND RELEASE: 59,094.00 ACRE- FEET OF WATER USED IN MONTANA TO MAINTAIN MINIMUM RESERVOIR ELEVATION; AND 40,884.00 ACRE- FEET OF WATER USABLE IN MONTANA AT ANY TIME TO MEET ELECTRIC SYSTEM LOAD REQUIREMENTS AND TO MEET STREAM CONDITIONS AS NECESSARY.

Source Name: CLARK FORK RIVER

Source Type: SURFACE WATER

CLARK FORK RIVER, TRIBUTARY OF COLUMBIA RIVER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2		27	55N	3E	BONNER

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

THE AUGUST 27, 1986 DECISION IN CASE 76N-46 DESCRIBES THE POINT OF DIVERSION AND ITS LOCATION AS THE DAM AND POWERHOUSE LOCATED IN BONNER COUNTY, IDAHO, ON THE CLARK FORK RIVER AND THE CABINET GORGE RESERVOIR LOCATED PRINCIPALLY IN SANDERS COUNTY, MONTANA, ON THE CLARK FORK RIVER. THE DAM AND POWERHOUSE ARE LOCATED AT: GOVT LOT 2, SEC 27, TWP 55N, RGE 3E, BONNER COUNTY, IDAHO AND GOVT LOT 7, SEC 27, TWP 55N, RGE 3E, BONNER COUNTY, IDAHO

CABINET GORGE RESERVOIR: FROM THE DAM AND POWERHOUSE ON THE CLARK FORK RIVER THENCE UPSTREAM AT AN ELEVATION OF APPROXIMATELY 2,175 FEET ABOVE MEAN SEA LEVEL TO THE DAM AND POWERHOUSE OF THE NOXON RAPIDS HYDROELECTRIC PROJECT.

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		2		27	55N	3E	BONNER
2		7		27	55N	3E	BONNER

THE AUGUST 27, 1986 DECISION IN CASE 76N-46 DESCRIBES THE PLACE OF USE AND ITS LOCATION AS THE DAM AND POWERHOUSE LOCATED IN BONNER COUNTY, IDAHO, ON THE CLARK FORK RIVER AND THE CABINET GORGE

RESERVOIR LOCATED PRINCIPALLY IN SANDERS COUNTY, MONTANA, ON THE CLARK FORK RIVER. THE DAM AND POWERHOUSE ARE LOCATED AT: GOVT LOT 2, SEC 27, TWP 55N, RGE 3E, BONNER COUNTY, IDAHO AND GOVT LOT 7, SEC 27, TWP 55N, RGE 3E, BONNER COUNTY, IDAHO

CABINET GORGE RESERVOIR: FROM THE DAM AND POWERHOUSE ON THE CLARK FORK RIVER THENCE UPSTREAM AT AN ELEVATION OF APPROXIMATELY 2,175 FEET ABOVE MEAN SEA LEVEL TO THE DAM AND POWERHOUSE OF THE NOXON RAPIDS HYDROELECTRIC PROJECT.

Geocodes/Valid: -- NO VALID GEOCODES --

Remarks:

STARTING IN 2008, PERIOD OF DIVERSION WAS ADDED TO MOST CLAIM ABSTRACTS, INCLUDING THIS ONE.

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 24053 RECEIVED 08/22/2005.